

STP-1125(100)X

PIN 11251.00

STP-1132(300)X

PIN 11323.00

STP-1132(700)X

PIN 11327.00

STP-1132(800)X

PIN 11328.00

**BEFORE SUBMITTING YOUR BID**

- 1. Use pen and ink to complete the Bid.**
- 2. Have you signed and completed the Contract Agreement, Offer & Award Forms?**
- 3. As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments & Submission of Bid Bond Validation Number form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.**
- 4. Have you included prices for all Bid Items? (“Zero is not considered a bid price.”)**
- 5. Have you included a bid guarantee? Acceptable forms are:**
  - A. Bid Bond on the Department’s prescribed form for 5% of the Bid Amount. (Or forms that do not contain any significant variations from the Department’s forms as solely determined by the Department.)**
  - B. Official Bank Check, Cashier’s Check, Certified Check, U.S. Postal Money Order or Negotiable Certificate of Deposit in the amount stated in the Notice to Contractors.**
- 6. If the written Bid is to be sent, Federal Express overnight delivery is suggested as the package is delivered directly to the DOT Headquarters Building in Augusta. Other means, such as U.S. Postal Services’ Express Mail has proven not to be reliable.**

**AND FOR FEDERAL AID PROJECTS**

- 7. Have you included your DBE Utilization commitment in the proper amounts and signed the DBE Certification?**

**If you need further information regarding Bid preparation, call the DOT Contracts Section at (207)624-3430.**

**For complete specifications regarding bidding requirements, refer to Section 102 of the Maine Department of Transportation, Standard Specifications, Revision December 2002.**

# NOTICE

**The Maine Department of Transportation is attempting to improve the way Bid Amendments/Addendums are handled, and allow for an electronic downloading of bid packages from our website, while continuing to maintain a planholders list.**

**Prospective bidders, subcontractors or suppliers who wish to download a copy of the bid package and receive a courtesy notification of project specific bid amendments, must provide an email address to Diane Barnes at the MDOT Contracts mailbox at: [MDOT.contracts@maine.gov](mailto:MDOT.contracts@maine.gov). Each bid package will require a separate request. Please provide us an email address, so we can maintain the planholders list that both the industry and MDOT uses.**

**Additionally, the new Acknowledgement of Bid Amendment form will be placed in MDOT bid packages beginning with the 2/12/03 advertisements. After that date, interested parties will be responsible for reviewing and retrieving the Bid Amendments from our web site, and acknowledging receipt and incorporating those Bid Amendments in their bids.**

The downloading of bid packages from the MDOT website is not the same as providing an electronic bid to the Department. Electronic bids must be submitted via <http://www.BIDX.com>. For information on electronic bidding contract Rebecca Pooler at [rebecca.pooler@maine.gov](mailto:rebecca.pooler@maine.gov).

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION**  
Bid Guaranty-Bid Bond Form

**KNOW ALL MEN BY THESE PRESENTS THAT**\_\_\_\_\_

\_\_\_\_\_, of the City/Town of \_\_\_\_\_ and State of \_\_\_\_\_

as Principal, and \_\_\_\_\_ as Surety, a

Corporation duly organized under the laws of the State of \_\_\_\_\_ and having a usual place of

Business in \_\_\_\_\_ and hereby held and firmly bound unto the Treasurer of

the State of Maine in the sum of \_\_\_\_\_ for payment which Principal and Surety bind

themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is that the Principal has submitted to the Maine Department of

Transportation, hereafter Department, a certain bid, attached hereto and incorporated as a

part herein, to enter into a written contract for the construction of \_\_\_\_\_

\_\_\_\_\_ and if the Department shall accept said bid

and the Principal shall execute and deliver a contract in the form attached hereto (properly

completed in accordance with said bid) and shall furnish bonds for this faithful performance of

said contract, and for the payment of all persons performing labor or furnishing material in

connection therewith, and shall in all other respects perform the agreement created by the

acceptance of said bid, then this obligation shall be null and void; otherwise it shall remain in full

force, and effect.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PRINCIPAL:

By \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

SURETY:

By \_\_\_\_\_

By: \_\_\_\_\_

Name of Local Agency: \_\_\_\_\_

# NOTICE

For security and other reasons, all Bid Packages which are mailed, shall be provided in double (one envelope inside the other) envelopes. The *Inner Envelope* shall have the following information provided on it:

Bid Enclosed - Do Not Open

PIN:

Town:

Date of Bid Opening:

Name of Contractor with mailing address and telephone number:

In Addition to the usual address information, the *Outer Envelope* should have written or typed on it:

Double Envelope: Bid Enclosed

PIN:

Town:

Date of Bid Opening:

Name of Contractor:

*This should not be much of a change for those of you who use Federal Express or similar services.*

Hand-carried Bids may be in one envelope as before, and should be marked with the following information:

Bid Enclosed: Do Not Open

PIN:

Town:

Name of Contractor:

# INSTRUCTIONS FOR PREPARING THE CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLAN

## The Contractor Shall:

1. Submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan to the Contract's Engineer by 4:30 P.M. on the Bid day.
2. Extend equal opportunity to MDOT certified DBE firms (as listed in MDOT's DBE Directory of Certified Businesses) in the selection and utilization of Subcontractors and Suppliers.

## SPECIFIC INSTRUCTIONS FOR COMPLETING THE FORM:

Insert Contractor name, the name of the person(s) preparing the form, and that person(s) telephone and fax number.

Provide total Bid price, Federal Project Identification Number, and location of the Project work.

In the columns, name each DBE firm to be used, provide the Unit or Item cost of the Work/Product to be provided by the DBE firm, give a brief description of the Work, and the dollar value of the Work.

If no DBE firm is to be utilized, the Contractor must document the reason(s) why no DBE firms are being used. Specific supporting evidence of good faith efforts taken by Contractors to solicit DBE Bidders must be attached. This evidence, as a minimum, includes phone logs, e-mail and/or mail DBE solicitation records, and the documented results of these solicitations.

# NOTICE

The Department has revised the Disadvantaged Business Enterprise Proposed Utilization form and the procedure that has been used for the past several months for Contractors to submit the form.

The Apparent Low Bidder now must submit the form by close of Business (4:30 P.M.) on Bid day.

The new Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan form contains additional information that is required by USDOT.

The Disadvantaged Business Enterprise Proposed Utilization Plan form will no longer be used. The new Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan form must be used.

A copy of the new Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan and instructions for completing it are attached.

Note: Questions about DBE firms, or to obtain a printed copy of the DBE Directory, contact Equal Opportunity at (207) 624-3066.

MDOTs DBE Directory of Certified firms can also be obtained at [http://www.state.me.us/mdot/humnres/o\\_equalo/cdwbed\\_h.htm](http://www.state.me.us/mdot/humnres/o_equalo/cdwbed_h.htm)

# NOTICE

Bidders:

Please use the attached “Request for Information” form when faxing questions and comments concerning specific Contracts that have been Advertised for Bid. Include additional numbered pages as required.



# REQUEST FOR INFORMATION

[illegible][illegible]

Response By:\_\_\_\_\_ Date:\_\_\_\_\_

# CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE PROPOSED UTILIZATION PLAN

Low Bidder shall furnish completed form to Contracts Section by 4:30 P.M. on Bid Opening day.

TO: MDOT Contracts Section  
16 State House Station,  
Augusta, Me 04333-0016  
or  
Fax: 207-624-3431

Contractor: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

BID PRICE: \$ \_\_\_\_\_ FEDERAL PROJECT # \_\_\_\_\_ LOCATION: \_\_\_\_\_

TOTAL DBE PARTICIPATION AS A PERCENT OF TOTAL BID PRICE = \_\_\_\_\_ %

DBE Firm*	Unit/Item Cost	Unit #	Description of work & Item Number	Actual \$ Value
Total >				

If no DBE firm(s) are used, bidder must document efforts made to secure DBE participation and attach supporting evidence of this effort:

\_\_\_\_\_  
\_\_\_\_\_.

Examples: Bidder relies wholly upon low quote subcontractor section, DBE firm(s) were not low quote.  
No DBE firms bid.

\*Only DBE firms certified by MDOT prior to bidding can be utilized by Contractor for DBE credit.  
Directory of certified DBEs is available on MDOT's website: [www.state.me.us/mdot](http://www.state.me.us/mdot)

Equal Opportunity Use:

Plan received \_\_\_\_/\_\_\_\_/\_\_\_\_ Verified by: \_\_\_\_\_ Action: \_\_\_\_\_



## Office of Human Resources

### Equal Opportunity

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## MAINE DEPARTMENT OF TRANSPORTATION

Certified Disadvantaged and Women Business Enterprise

DBE DIRECTORY - MINORITY OWNED

WBE DIRECTORY - WOMEN OWNED

WEBSITE FOR DIRECTORY CAN BE FOUND AT:

[http://www.state.me.us/mdot/humnres/o\\_equalo/cdwbed\\_h.htm](http://www.state.me.us/mdot/humnres/o_equalo/cdwbed_h.htm)

*It is the responsibility of the Contractor to access the DBE Directory at this site in order to have the most current listings.*

## STATE OF MAINE DEPARTMENT OF TRANSPORTATION NOTICE TO CONTRACTORS

Scaled Bids addressed to the Maine Department of Transportation, Augusta, Maine 04333 and endorsed on the wrapper "Bid for the **Hot Mix Asphalt Overlay, Milling and Safety Improvements** in the cities of **Caribou** and **Presque Isle**, the town of **Fort Fairfield** and townships of **16 R05 WELS** and **17 R05 WELS**" will be received from contractors at the Reception Desk, Maine DOT Building, Child Street, Augusta, Maine, until 11:00 o'clock A.M. (prevailing time) on January 28, 2004, and at that time and place publicly opened and read. Bids will be accepted from contractors prequalified by the Department of Transportation for highway construction or paving projects. All other Bids may be rejected. **MDOT provides the option of electronic bidding. We accept electronic bids for those bid packages posted on the bidx.com website. Electronic bids do not have to be accompanied by paper bids. Please note: the Department will accept a facsimile of the bid bond; however, the original bid bond must then be received at the MDOT Contract Section within 72 hours of the bid opening.** Until further notice, dual bids (one paper, one electronic) will be accepted, with the paper copy taking precedence.

Description: Maine Federal Aid Project No.; STP-1125(100)X, PIN 11251.00; STP-1132(300)X, PIN 11323.00; STP-1132(700)X, PIN 11327.00; STP-1132(800)X, PIN 11328.00;

Location: In Aroostook County, in the city of Caribou, project STP-1125(100)X is located on Route 228 beginning at Lombard Road and extending easterly 0.64 of a mile to Route 161. In the town of Fort Fairfield, project STP-1132(300)X is located on Route 167 beginning at 0.03 miles southerly of Route 1A and extending southerly 1.52 miles. In the town of Fort Fairfield and city of Presque Isle, project STP-1132(700)X is located on Route 167 beginning 0.04 mile northerly of Route 163 and extending northerly 2.04 miles. In the townships of 16 R05 WELS and 17 R05 WELS project STP-1132(800)X is located on Route 161 beginning 3.53 miles northerly of the Stockholm town line and extending northerly 7.31 miles.

Outline of Work: Hot Mix Asphalt Overlay, Milling, Safety Improvements and other incidental work.

For general information regarding Bidding and Contracting procedures, contact Bruce Carter at (207)624-3430. Our webpage at <http://www.state.me.us/mdot/project/design/homepg.htm> contains a copy of the schedule of items, Plan Holders List, written portions of bid amendments (not drawings), and bid results. For Project-specific information fax all questions to **Jamie Andrews** at (207)624-3401. Questions received after 12:00 noon of Monday prior to bid date will not be answered. Bidders shall not contact any other Departmental staff for clarification of Contract provisions, and the Department will not be responsible for any interpretations so obtained. Hearing impaired persons may call the Telecommunication Device for the Deaf at (207)287-3392.

Specifications and bid forms may be seen at the Maine DOT Building in Augusta, Maine and at the Department of Transportation's Division Office in Presque Isle. They may be purchased from the Department between the hours of 8:00 a.m. to 4:30 p.m. by cash, credit card (Visa/Mastercard) or check payable to Treasurer, State of Maine sent to Maine Department of Transportation, Attn.: Mailroom, 16 State House Station, Augusta, Maine 04333-0016. They also may be purchased by telephone at (207)624-3536 between the hours of 8:00 a.m. to 4:30 p.m. Bid Book \$10 (\$13 by mail), Single Sheets \$2, payment in advance, all non-refundable.

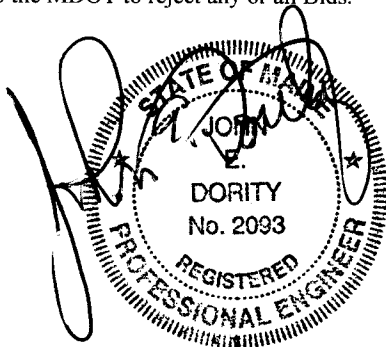
Each Bid must be made upon blank forms provided by the Department and must be accompanied by a bid bond at 5% of the bid amount or an official bank check, cashier's check, certified check, certificate of deposit, or United States postal money order in the amount of \$50,000 payable to Treasurer, State of Maine as a Bid guarantee. A Contract Performance Surety Bond and a Contract Payment Surety Bond, each in the amount of 100 percent of the Contract price, will be required of the successful Bidder.

This Contract is subject to all applicable Federal Laws. This contract is subject to compliance with the Disadvantaged Business Enterprise program requirements as set forth by the Maine Department of Transportation.

All work shall be governed by "State of Maine, Department of Transportation, Standard Specifications, Revision of December 2002", price \$10 [\$13 by mail], and Standard Details, Revision of December 2002, price \$20 [\$25 by mail] Standard Detail updates can be found at <http://www.state.me.us/mdot/project/design/homepg.htm>

The right is hereby reserved to the MDOT to reject any or all Bids.

Augusta, Maine  
January 7, 2004



JOHN E. DORITY  
CHIEF ENGINEER

**SPECIAL PROVISION 102.7.3**  
**ACKNOWLEDGMENT OF BID AMENDMENTS**  
**&**  
**SUBMISSION OF BID BOND VALIDATION NUMBER (IF APPLICABLE)**

With this form, the Bidder acknowledges its responsibility to check for all Amendments to the Bid Package. For each Project under Advertisement, Amendments are located at <http://www.state.me.us/mdot/comprehensive-list-projects/project-information.php>. It is the responsibility of the Bidder to determine if there are Amendments to the Project, to download them, and to incorporate them into their Bid Package. The Maine DOT will not post Bid Amendments any later than noon the day before Bid opening.

Amendment Number	Date

The Contractor, for itself, its successors and assigns, hereby acknowledges that it has received all of the above referenced Amendments to the Bid Package. Failure to acknowledge receipt of all Amendments to the Bid Package will be considered a Non-curable Bid Defect in accordance with Section 102.11.1 of the Standard Specifications, Revision of December 2002.

CONTRACTOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of authorized representative

\_\_\_\_\_  
(Name and Title Printed)

**Bid Bond Validation Number** \_\_\_\_\_  
**(Applicable to annual bid bonds or electronic bid bonds.)**

MAINE DEPARTMENT OF TRANSPORTATION

BID

DATE OF OPENING :

CALL ORDER :

CONTRACT ID : 011251.00

PROJECTS

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STP-1125 (100) X

STP-1132 (300) X

STP-1132 (700) X

STP-1132 (800) X

COUNTY : AROOSTOOK

## PAGE: 1

## SCHEDULE OF ITEMS

REVISÉD:

PROJECT (S) : STP-1125 (100) X

STP-1132 (300) X

STP-1132 (700) X

STP-1132 (800) X

CONTRACTOR :

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
SECTION 0001 HIGHWAY ITEMS						
0010	202.202 REMOVING PAVEMENT SURFACE	9550.000 SY				
0020	202.203 PAVEMENT BUTT JOINTS	1640.000 SY				
0030	403.209 HOT MIX ASPHALT 9.5 MM HMA (SIDEWALKS, DRIVES, INCIDENT ALS)	210.000 T				
0040	403.210 HOT MIX ASPHALT 9.5 MM HMA	10380.000 T				
0050	403.211 HOT MIX ASPHALT (SHIMMING)	8000.000 T				
0060	409.15 BITUMINOUS TACK COAT APPLIED	3800.000 G				
0070	411.10 UNTREATED AGGREGATE SURFACE COURSE (TRUCK MEASURE)	420.000 CY				
0080	411.12 CRUSHED STONE SURFACE	40.000 T				
0090	604.18 ADJUSTING MANHOLE OR CATCH BASIN TO GRADE	1.000 EA				

## MAINE DEPARTMENT OF TRANSPORTATION

PAGE: 2

## SCHEDULE OF ITEMS

DATE: 031223

REVISED:

CONTRACT ID: 011251.00

PROJECT(S): STP-1125(100)X  
 STP-1132(300)X  
 STP-1132(700)X  
 STP-1132(800)X

CONTRACTOR : \_\_\_\_\_

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
0100	606.1722 BRIDGE TRANSITION - TYPE 2	1.000 EA				
0110	606.23 GUARDRAIL TYPE 3C - SINGLE RAIL	12.500 LF				
0120	606.231 GUARDRAIL TYPE 3C - 15 FOOT RADIUS AND LESS	25.000 LF				
0130	606.232 GUARDRAIL TYPE 3C - OVER 15 FOOT RADIUS	25.000 LF				
0140	606.265 TERMINAL END - SINGLE RAIL - GALVANIZED STEEL	1.000 EA				
0150	606.35 GUARDRAIL DELINEATOR POST	4.000 EA				
0160	606.79 GUARDRAIL 350 FLARED TERMINAL	1.000 EA				
0170	609.31 CURB TYPE 3	790.000 LF				
0180	627.76 TEMPORARY PVMT. MARK LINE, W OR YELLOW	LUMP	LUMP			
0190	629.05 HAND LABOR, STRAIGHT TIME	20.000 HR				



## MAINE DEPARTMENT OF TRANSPORTATION

PAGE: 3

## SCHEDULE OF ITEMS

DATE: 031223

REVISED:

CONTRACT ID: 011251.00

PROJECT(S): STP-1125(100)X  
 STP-1132(300)X  
 STP-1132(700)X  
 STP-1132(800)X

CONTRACTOR : \_\_\_\_\_

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
0200	631.10 AIR COMPRESSOR (INCLUDING OPERATOR)	10.000 HR				
0210	631.11 AIR TOOL (INCLUDING OPERATOR)	10.000 HR				
0220	631.12 ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	20.000 HR				
0230	631.14 GRADER (INCLUDING OPERATOR)	5.000 HR				
0240	631.172 TRUCK - LARGE (INCLUDING OPERATOR)	20.000 HR				
0250	631.18 CHAIN SAW RENTAL (INCLUDING OPERATOR)	10.000 HR				
0260	652.38 FLAGGER	970.000 HR				
0270	652.39 WORK ZONE TRAFFIC CONTROL	LUMP	LUMP			
0280	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

## **CONTRACT AGREEMENT, OFFER & AWARD**

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street, Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and \_\_\_\_\_

\_\_\_\_\_ a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at \_\_\_\_\_

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

### **A. The Work.**

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, STP-1125(100)X, PIN 11251.00; STP-1132(300)X, PIN 11323.00; STP-1132(700)X, PIN 11327.00; STP-1132(800)X, PIN 11328.00, for the Hot Mix Asphalt Overlay, Milling and Safety Improvements in the cities of Caribou and Presque Isle, the town of Fort Fairfield and townships of 16 R05 WELS and 17 R05 WELS, County of Aroostook, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

### **B. Time.**

The Contractor agrees to complete all Work, except warranty work, on or before July 23, 2004. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is \_\_\_\_\_

\$\_\_\_\_\_ Performance Bond and Payment Bond each being 100% of the amount of this Contract.

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: STP-1125(100)X, PIN 11251.00; STP-1132(300)X, PIN 11323.00; STP-1132(700)X, PIN 11327.00; STP-1132(800)X, PIN 11328.00, for the Hot Mix Asphalt Overlay, Milling and Safety Improvements in the cities of Caribou and Presque Isle, the town of Fort Fairfield and townships of 16 R05 WELS and 17 R05 WELS, County of Aroostook, State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer's "Notice to Commence Work" as stated in Section 107.2 of the Standard Specifications Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Legally Authorized Representative  
of the Contractor)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
(Name and Title Printed)

**G. Award.**

Your offer is hereby accepted. This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David A. Cole, Commissioner

\_\_\_\_\_  
Witness

## **CONTRACT AGREEMENT, OFFER & AWARD**

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street, Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and \_\_\_\_\_

\_\_\_\_\_ a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at \_\_\_\_\_

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

### **A. The Work.**

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, STP-1125(100)X, PIN 11251.00; STP-1132(300)X, PIN 11323.00; STP-1132(700)X, PIN 11327.00; STP-1132(800)X, PIN 11328.00, for the Hot Mix Asphalt Overlay, Milling and Safety Improvements in the cities of Caribou and Presque Isle, the town of Fort Fairfield and townships of 16 R05 WELS and 17 R05 WELS, County of Aroostook, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

### **B. Time.**

The Contractor agrees to complete all Work, except warranty work, on or before July 23, 2004. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is \_\_\_\_\_

\$\_\_\_\_\_ Performance Bond and Payment Bond each being 100% of the amount of this Contract.

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: STP-1125(100)X, PIN 11251.00; STP-1132(300)X, PIN 11323.00; STP-1132(700)X, PIN 11327.00; STP-1132(800)X, PIN 11328.00, for the Hot Mix Asphalt Overlay, Milling and Safety Improvements in the cities of Caribou and Presque Isle, the town of Fort Fairfield and townships of 16 R05 WELS and 17 R05 WELS, County of Aroostook, State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer's "Notice to Commence Work" as stated in Section 107.2 of the Standard Specifications Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.



Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Legally Authorized Representative  
of the Contractor)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
(Name and Title Printed)

**G. Award.**

Your offer is hereby accepted. This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David A. Cole, Commissioner

\_\_\_\_\_  
Witness

## **CONTRACT AGREEMENT, OFFER & AWARD**

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at 1705 U.S. Route 202, Winthrop, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and (Name of the firm bidding the job) a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at (address of the firm bidding the job)

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

### **A. The Work.**

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, PIN No. 1224.00

for the Hot Mix Asphalt Overlay in the town/city of West Eastport, County of Washington, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

### **B. Time.**

The Contractor agrees to complete all Work, except warranty work, on or before November 15, 2003. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is       (Place bid here in alphabetical form such as One Hundred and Two dollars and 10 cents)        
\$ (repeat bid here in numerical terms, such as \$102.10) Performance Bond and Payment Bond each being 100% of the amount of this Contract.

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

**PIN 1234.00 West Eastport, Hot Mix Asphalt Overlay**

State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer's "Notice to Commence Work" as stated in Section 107.2 of the Standard Specifications Revision of 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Witness Sign Here)  
Witness

CONTRACTOR  
(Sign Here)  
\_\_\_\_\_  
(Signature of Legally Authorized Representative  
of the Contractor)

\_\_\_\_\_  
(Print Name Here)  
(Name and Title Printed)

**G. Award.**

Your offer is hereby accepted.  
documents referenced herein.

This award consummates the Contract, and the

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David A. Cole, Commissioner

\_\_\_\_\_  
(Witness)

BOND # \_\_\_\_\_

CONTRACT PERFORMANCE BOND  
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That \_\_\_\_\_  
\_\_\_\_\_ **and the State of** \_\_\_\_\_, as principal,  
and \_\_\_\_\_,  
a corporation duly organized under the laws of the State of \_\_\_\_\_ and having a  
usual place of business \_\_\_\_\_,  
as Surety, are held and firmly bound unto the Treasurer of the State of Maine in the sum  
of \_\_\_\_\_ **and 00/100 Dollars (\$** \_\_\_\_\_ **)**,  
to be paid said Treasurer of the State of Maine or his successors in office, for which  
payment well and truly to be made, Principal and Surety bind themselves, their heirs,  
executors and administrators, successors and assigns, jointly and severally by these  
presents.

The condition of this obligation is such that if the Principal designated as Contractor in  
the Contract to construct Project Number \_\_\_\_\_ in the Municipality of \_\_\_\_\_  
promptly and faithfully performs the Contract, then this  
obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the State  
of Maine.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20....

WITNESSES:

SIGNATURES:

CONTRACTOR:

Signature.....

Print Name Legibly .....

Print Name Legibly .....

SURETY:

Signature .....

Print Name Legibly .....

Print Name Legibly .....

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

ADDRESS .....

.....

.....

.....

.....

TELEPHONE.....

.....

BOND # \_\_\_\_\_

CONTRACT PAYMENT BOND  
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That \_\_\_\_\_  
\_\_\_\_\_ **and the State of** \_\_\_\_\_, as principal,  
and \_\_\_\_\_  
a corporation duly organized under the laws of the State of \_\_\_\_\_ and having a  
usual place of business in \_\_\_\_\_,  
as Surety, are held and firmly bound unto the Treasurer of the State of Maine for the use  
and benefit of claimants as herein below defined, in the sum of  
\_\_\_\_\_ **and 00/100 Dollars (\$** \_\_\_\_\_ **)**  
for the payment whereof Principal and Surety bind themselves, their heirs, executors and  
administrators, successors and assigns, jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in  
the Contract to construct Project Number \_\_\_\_\_ in the Municipality of  
\_\_\_\_\_ promptly satisfies all claims and demands incurred for all  
labor and material, used or required by him in connection with the work contemplated by  
said Contract, and fully reimburses the obligee for all outlay and expense which the  
obligee may incur in making good any default of said Principal, then this obligation shall  
be null and void; otherwise it shall remain in full force and effect.

A claimant is defined as one having a direct contract with the Principal or with a  
Subcontractor of the Principal for labor, material or both, used or reasonably required for  
use in the performance of the contract.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20 .. .

WITNESS:

SIGNATURES:

CONTRACTOR:

Signature.....

Print Name Legibly .....

SURETY:

Signature.....

Print Name Legibly .....

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

ADDRESS .....

.....

TELEPHONE .....

## SPECIAL PROVISION PARTNERING

The successful bidder will have the opportunity to enter into a cooperative partnership agreement with the State Department of Transportation for the contract. The objective of this agreement is the effective completion of the work on time and to the standard of quality that will be a source of pride to both the State and the Contractor. The partnering agreement will not affect the terms of the contract. It is intended only to establish an environment of cooperation between the parties. If the partnering agreement is accepted.

1. Contractor shall select and provide a third-party facilitator to conduct the team building workshop for the Contractor and Department personnel. Facilitator selection shall require Department concurrence. The cost for the facilitator and his associated expenses will be shared equally by the Department on the next monthly estimate, following receipt of invoice(s) from the Contractor, on an extra work basis.
2. Contractor and Department will exchange lists of the key personnel to be participants in the workshop. The list will contain the name and job title of each person, a contact phone number, and the address for job related correspondence.
3. The Contractor shall select the location and make all arrangements for space as required by facilitator, and for any meals required. This cost to be shared equally.
4. A working arrangement for the partnership will be agreed upon in writing at the workshop. The arrangement will set out the mutually recognized goals and expectation of the parties.
5. The Contractor and the Department agree to make an effort to maintain identified key personnel assigned to the work for its duration. A timely notice by each shall be given if changes by either must be made.
6. Project issues shall be processed in the manner agreed upon by the parties during the orientation.
7. Follow-up workshops may be held periodically throughout the duration of the contract as agreed by the Contractor and the Department.
8. The Partnering Agreement is not intended to be a legal document. Failure by either party to follow the process identified will not be grounds for any claim under the contract.
9. ARE YOU INTERESTED IN THIS OPPORTUNITY? YES \_\_\_\_\_ NO \_\_\_\_\_



GENERAL OUTLINE OF WORK

STP-1125(100)X-CARIBOU RTE. 228

- ❑ Shim with 9.5mm HMA. Overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth, Mainline and Shoulders.
- ❑ Grind transition tapers around catch basins.
- ❑ Remove select section of asphalt curb and replace with new asphalt curb.

STP-1132(300)X-FORT FAIRFIELD RTE. 167

- ❑ Sta 0+03 to 30+70 Mill 28' of Mainline to a depth of 1-1/2" and Fill with 9.5mm HMA.
- ❑ Sta 30+70 to Sta 53+00 Shim with 9.5mm HMA. Overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth, curb to curb.
- ❑ Sta 53+00 to Sta 79+92 Shim with 9.5mm HMA. Overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth. Add gravel to shoulders as directed by resident.
- ❑ Grind transition tapers around catch basins.

STP-1132(700)X-FORT FAIRFIELD/PRESQUE ISLE RTE. 167

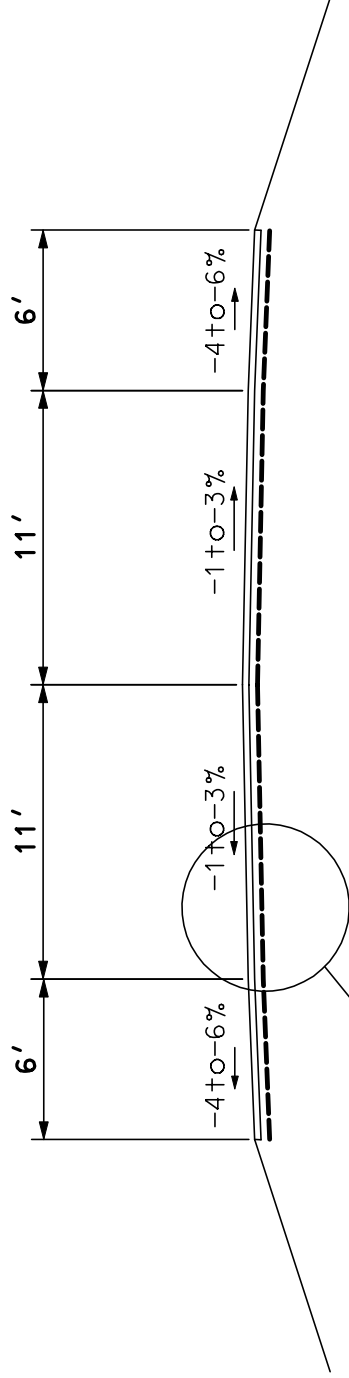
- ❑ Shim with 9.5mm HMA. Overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth, Mainline and shoulders.
- ❑ Grind transition tapers around catch basins.

STP1132(800)X-T16R4/T17R4 RTE. 161

- ❑ Sta 0+00 to Sta 385+97 shim with 9.5mm HMA and overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth, Mainline and Shoulders.
- ❑ Sta 368+75 to Sta 385+97 shim with 9.5mm HMA and overlay with 9.5mm HMA,  $\frac{3}{4}$ " Depth, Mainline and Shoulders.
- ❑ Sta 368+75 to Sta 385+97 Lt. and Sta 376+75 to Sta 385+97 Rt. remove existing shoulder material to 2" depth and install 6' paved shoulders.

## Date: 12/9/2003

# HOT MIX ASPHALT SHIM AND OVERLAY



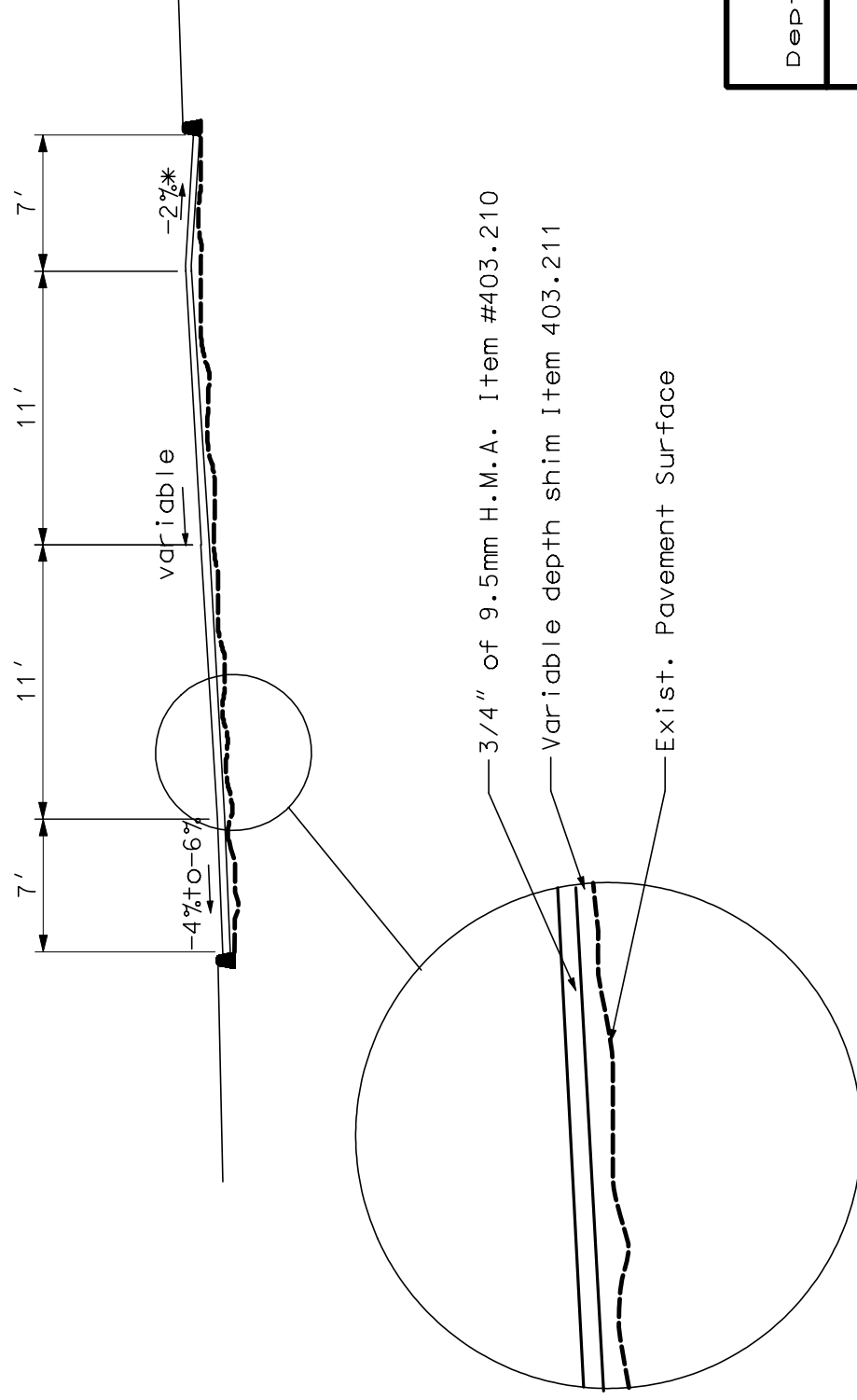
3/4" of 9.5mm H.M.A. Item #403.210  
Variable depth shim Item #403.211  
Exist. Pavement Surface

IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

CARIBOU  
Rte. 228  
Proj # STP-1125(100)X

# HOT MIX ASPHALT SHIM AND OVERLAY SUPERELEVATION



IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

CARIBOU

Rte. 228

Proj # STP-1125(100)X

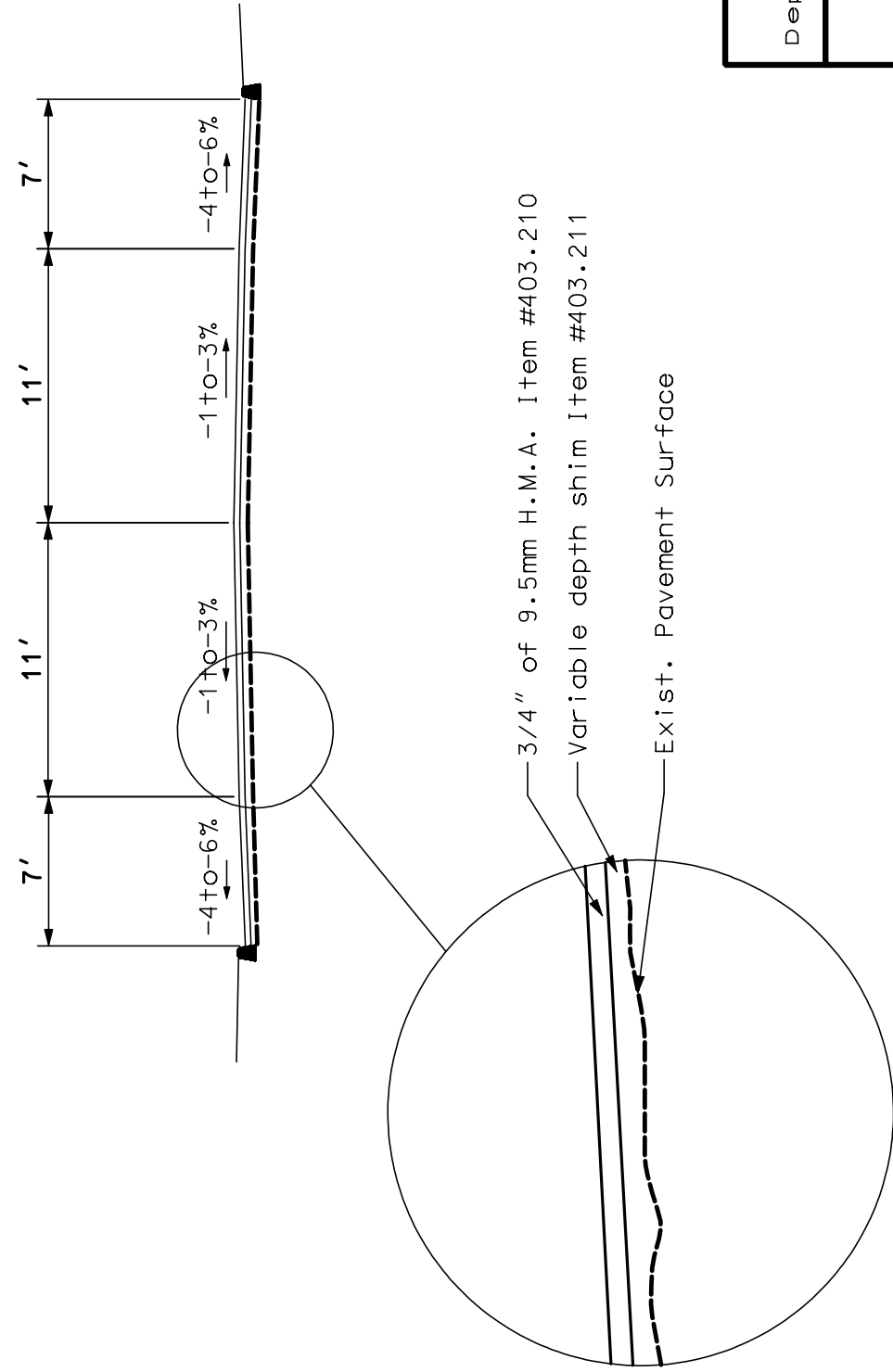
SHEET 2 of 3

12/10/03

Notes:

\*Shoulders shall have a cross slope of 2% on the high side of the superelevation when the algebraic difference in the rate of cross slope exceeds 8%.

# HOT MIX ASPHALT SHIM AND OVERLAY



IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

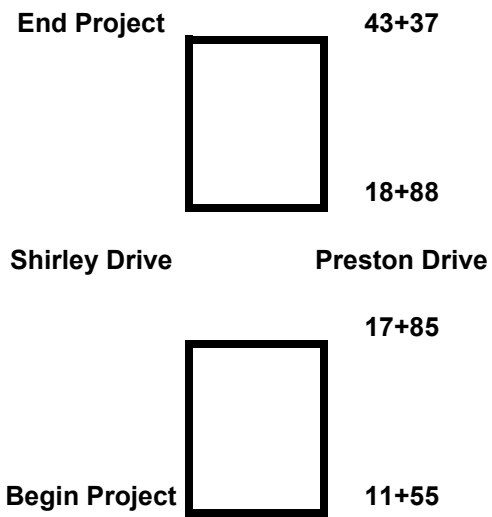
CARIBOU  
Rte. 228  
Proj # STP-1125(100)X

STP-1125(100)X  
Caribou, ME.  
228.00  
PPM

Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
	Start	10+79	Project	
	Begin	10+83	Island	
	End	11+55	Island	
71	Fire Hydrant Pole	11+71	Project Marker	
		12+22		
		12+29		
	School Ent. Pave	12+45	228 West Sign	
		12+75		
	Catch Basin	13+00	Ouellette's Store Ent.	
		13+10	Catch Basin	
		13+87	Catch Basin in Drive	
		13+99	S. Pole	2D
	Caribou Sign	14+21	35 MPH Sign	
		14+36		
2	Pole	14+50	Crush Rock Drive	
	Gravel Drive	14+62		
		15+03		
	Crush Rock Drive	15+39	S. Pole	2XI
		15+63	Perham Washburn Sign	
	Catch Basin	15+77	Crush Rock Drive	
		15+79		
	JCT 161 Sign	16+30	Catch Basin	
3	Pole	16+50		
	Gravel Drive	16+72		
		16+96		
	Sewer Manhole	17+94	Gravel Drive	
		18+00		
4	Pole	18+16	Preston Drive	
		18+23		
		18+25	Catch Basin	4X
		18+41	S. Pole	
	Shirley Drive	18+60	Gravel Drive	
		19+56		
	Catch Basin	20+00	Pave Drive	
75	Pole	20+09	Catch Basin	
		20+53	Pole	5S
	Gravel Drive	20+91	Gravel Drive	
6	Pole	22+15		
	Gravel Drive	22+22	Catch Basin/S. Pole	6x
		22+44	Pave Drive	
	Pave Drive	22+63		
	Gravel Drive	23+50		
		23+65		
	Gravel Drive	23+77	Gravel Drive	
7	Pole	24+09		
		24+87		
		25+85	Curve Sign	
	Catch Basin	25+87	Pole	9
8	Pole	25+89		
	Gravel Drive	26+04		
		26+35		
		27+67	Field Road	
9	Pole	27+69		
		28+46	Pole	9S
	Catch Basin	28+54	Catch Basin	
		29+04	Pave Drive	
		29+15	Grass Drive	
	Gravel Drive	29+58		
7/10	Pole	29+68		
		30+05	Pole	10S
	Gravel Drive	30+65		
		30+81		
	Gravel Drive	30+94		
		31+07	Catch Basin	
		31+47	Pave Drive	
11	Pole	31+50		
		32+00	S. Pole	11S
		32+57	Drain Manhole	
		32+74	Gravel Drive	
	Curve Sign	33+10	Pole 11D	
	Pole	34+19		
12	Children at Play Sign	34+51		
	36 MPH Sign	36+66		
		36+83		
		36+90	50 MPH Sign	
13	Pole	38+35		
	Pave Drive			

14	Catch Basin	38+54	Crush Rock Drive	14X
	Pole	39+06	Catch Basin	
		39+23	Pole	
	Pave Drive	39+61		
		40+06		
16		40+64	Crush Rock Drive	16X
	Catch Basin	41+00	Catch Basin	
		41+90	Crush Rock Drive	
	Gravel Drive	42+10		
		42+88	Pole	
	Pole	43+22		
	Lombard Road	43+57		
		43+73	Gravel Ent.	
	Compact Line	44+05		
		44+65	Crush Rock Drive	
17	Project Marker	45+00		17X
		45+16	Pole	
	Pole - End Project.	45+23	Pole - End Project.	

**STP-1125(100)X**  
**Caribou, ME.**  
**Rte 228**  
**PPM**





STP-1125(100)X  
CARIBOU  
RTE 228  
PPM

CONSTRUCTION NOTES

**202.203 PAVEMENT BUTT JOINTS**

<u>Side</u>	<u>Station</u>	<u>Station</u>	<u>Length</u>	<u>Width</u>
Beginning	10+79.0	11+04.0	25.0	72.0
End	45+50.0	46+00.0	50.0	34.0
Lt.	12+45.0		54.0	3.0
Lt.	22+63.0		26.0	1.0
Lt.	38+35.0		26.0	1.0
Lt.	40+06.0		22.0	1.0
Lt.	43+57.0		45.0	3.0
Lt.	18+60.0		75.0	3.0
Rt.	12+75.0		130.0	2.0
Rt.	18+00.0		30.0	1.0
Rt.	19+56.0		24.0	1.0
Rt.	22+44.0		33.0	1.0
Rt.	28+54.0		20.0	1.0
Rt.	31+07.0		20.0	1.0

Mainline, Side Roads, Along paved drives and end of sidewalks, as required and as directed by Resident

**403.209 HOT MIX ASPHALT 9.5 MM (INCIDENTALS)**

Paved Driveways = 11 ea.

Paved Aprons = 24 ea.

**403.210 HOT MIX ASPHALT 9.5 MM NOMINAL MIX SIZE**

Mainline surface to be paved to a depth of .75 inches.

**403.211 HOT MIX ASPHALT 9.5 MM -SHIMMING**

Placed in overlay sections to reestablish grade for surface.

**409.15 BITUMINOUS TACK COAT APPLIED**

A tack coat will be placed before each coarse of HMA.

**411.10 UNTREATED AGG SURFACE CRS.TRUCK MEASURE**

To be used on gravel gravel drives as directed by Resident.

Approximately 17 driveways.

**411.12 CRUSHED STONE SURFACE**

Used in all drives already containing crushed stone to match to new pavement

Approximately 6 driveways.

STP-1125(100)X  
CARIBOU  
RTE 228  
PPM

CONSTRUCTION NOTES

**609.31 CURB TYPE 3**

Side	Station	Station	Length (feet)	
Start	11+20.0		112.0	
Start	10+80.0		125.0	Around radius
Lt.	15+18.0	15+30.0	12.0	
Lt.	18+23.0	18+49.0	26.0	
Lt.	42+37.0	43+34.0	97.0	
			0.0	
			0.0	

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION



Fort Fairfield

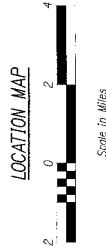
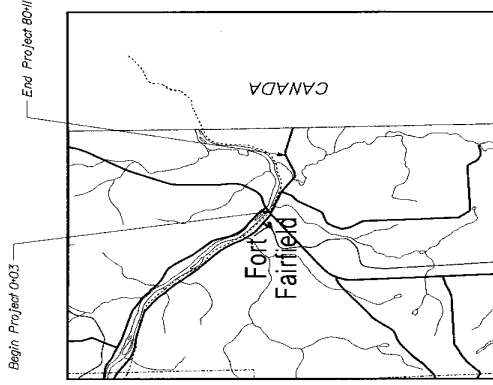
AROOSTOOK

Rte 167

STP-1132(300)X

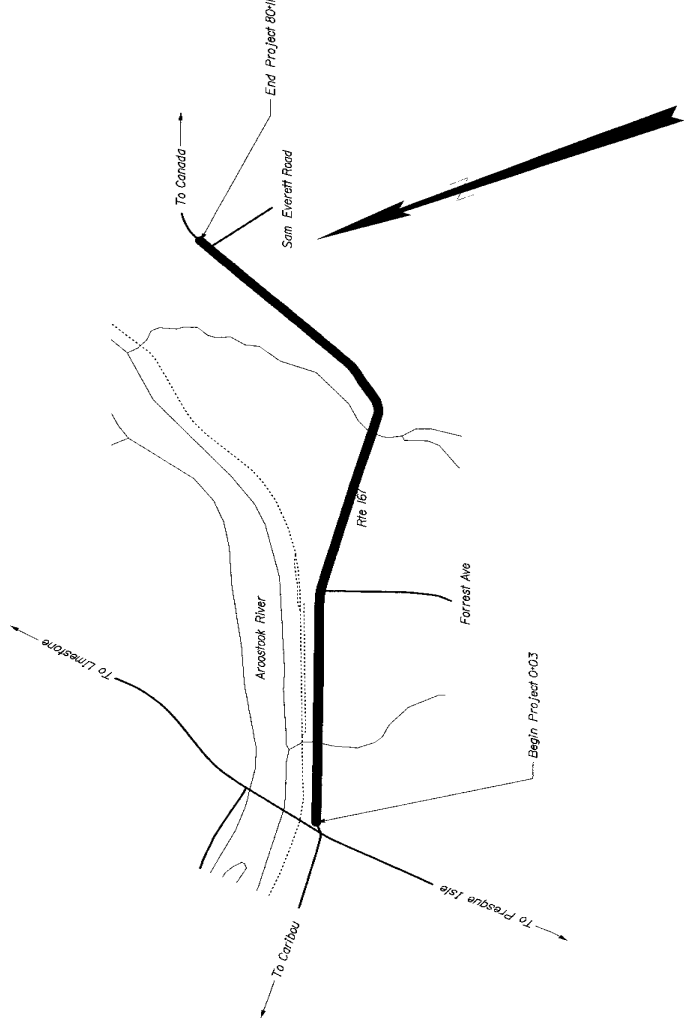
PROJECT LENGTH : 1.52 miles  
Mill/Fill and Overlay

STP-1132(300)X



TRAFFIC DATA

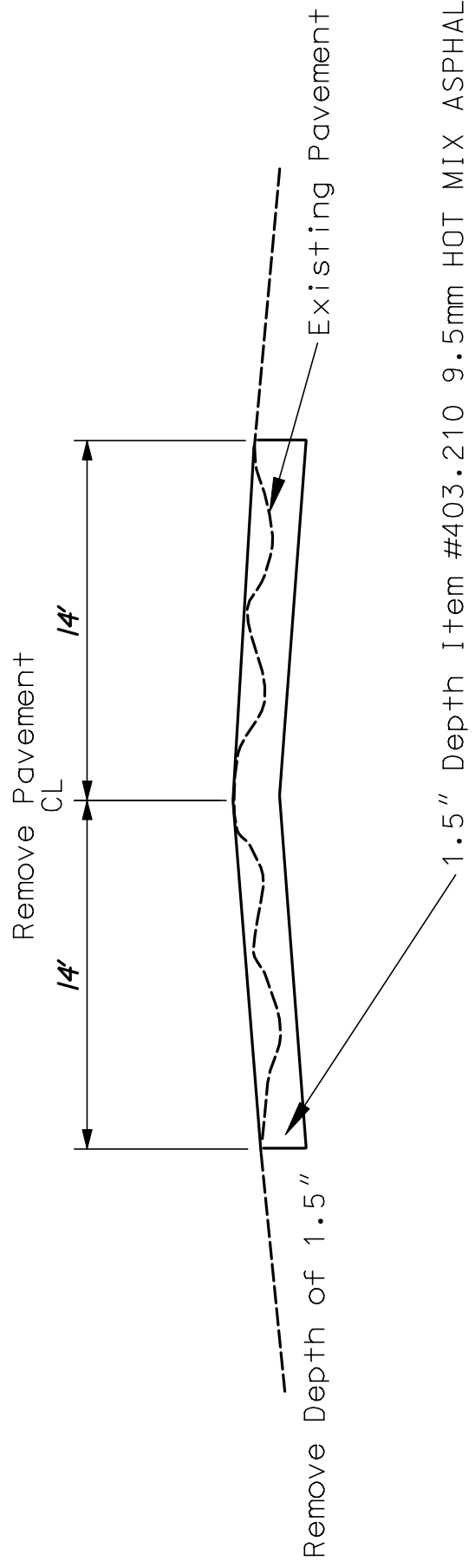
Current (2004) AADT	7960
Future (2016) AADT	8920
DIV - % of AADT	9
Design Hour Volume	860
% Heavy Trucks (AADT)	5
% Heavy Trucks (DHV)	4
Directional Distribution (DHV)	55
18 kip Equivalent P 2.0	202
18 kip Equivalent P 2.5	200
Design Speed (mph)	25



PROJECT INFORMATION		PROJECT MANAGER DEBILY SPONBERG		PROJECT RESIDENT CONSULTANT		PROJECT COMPLETION DATE	
REGIONAL		SIGNATURE Jeffrey Adams		DATE 12/19/03		PROJECT NUMBER 5500	
STATE OF MAINE JEFFREY ADAMS REGISTERED PROFESSIONAL ENGINEER # 5500		COMMISSIONER APPROVED 12/19/03		CHIEF ENGINEER 12/19/03		SHEET NUMBER 1	
STATE OF MAINE DEPARTMENT OF TRANSPORTATION		TITLE SHEET Fort Fairfield Rte 167		STP-1132(300)X		PIN 11323.00	

# MILLED SECTION

Sta. 00+03 to 30+70

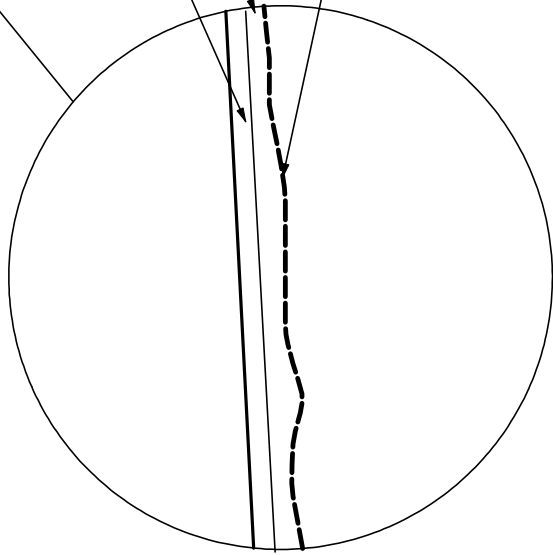
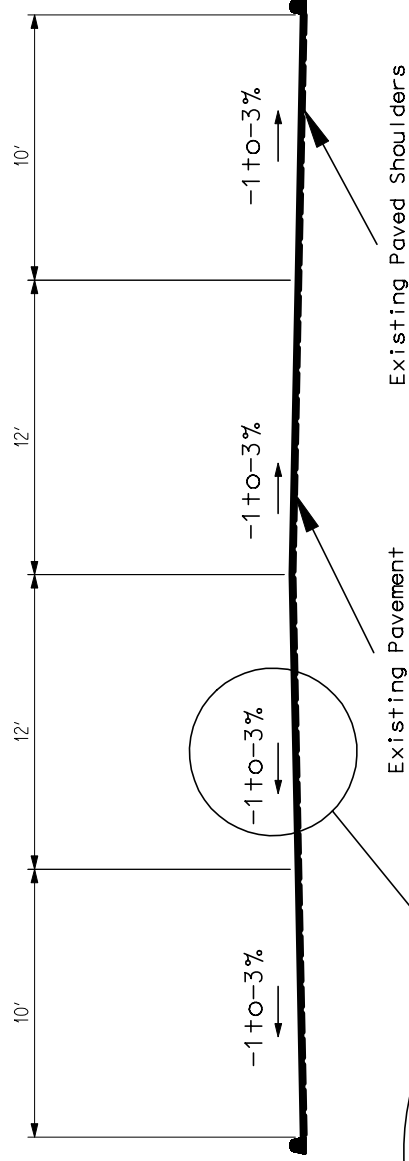


IMPERIAL  
NOT TO SCALE

State of Maine Dept. of Transportation	FORT FAIRFIELD Rte. 167 Proj # STP-1132(300)X
SHEET 1 of 4	12/10/03

# HOT MIX ASPHALT SHIM AND OVERLAY

## Sta. 30+70 TO 53+00



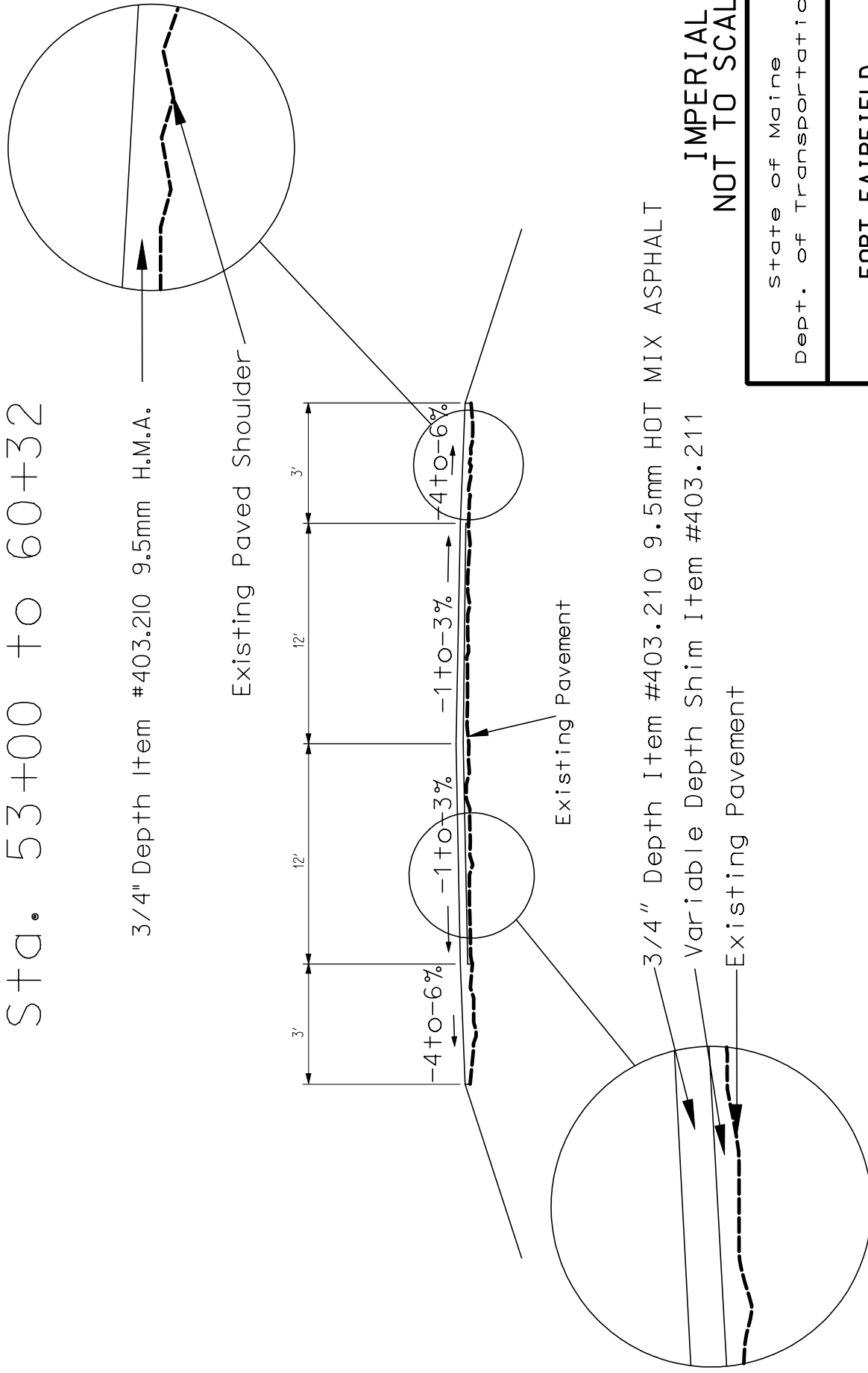
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State of Maine  
Dept. of Transportation

FORT FAIRFIELD  
Rte. 167  
Proj # STP-1132(300)X

# HOT MIX ASPHALT SHIM AND OVERLAY

## Sta. 53+00 to 60+32



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Dept. of Transportation

FORT FAIRFIELD

Rte. 167

Proj # STP-1132(300)X

SHEET 3 of 4

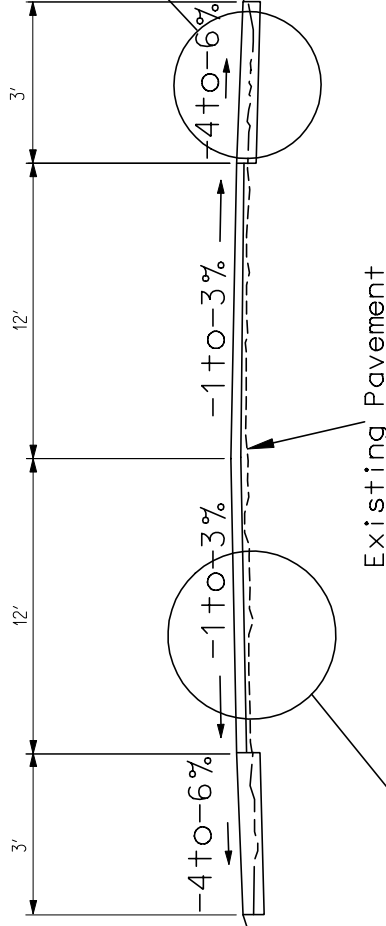
12/10/03

# HOT MIX ASPHALT SHIM AND OVERLAY

Sta. 60+32 to 79+92

Add Untreated Aggregate Surface Course  
(Item # 411.10) to Existing Shoulder.

Existing Gravel Shoulder



Existing Pavement

3/4" Depth Item #403.210 9.5mm HOT MIX ASPHALT

Variable Depth Shim Item #403.211

Existing Pavement

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FORT FAIRFIELD

Rte. 167

Proj # STP-1132(300)X

SHEET 4 of 4

12/10/03

STP-1132(300)X Fort Fairfield Rte. 167 Level II				
Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
	Begin	0+03	Project	
	Catch Basin	0+12		
		0+49	Pole	35
3	Pole/ U Turn Sign	1+40		
		2+21	RR Spike	
		2+30	Catch Basin	
2	Pole	2+31		
	Catch Basin	2+34		
12552	Pole	3+10		
13396	S. Pole	4+03		
	Catch Basin	4+60	Catch Basin	
		5+04	Sewer M.H. Elm St.	
		6+37	Water Gate 5' Offset	
		6+47	S. Pole	13397
		6+58	Water Gate 12' Offset	
	Catch Basin	7+00	Catch Basin	
		8+67	Water Gate 15' Offset	
		8+85	Fields Lane/ Sewer M.H.	
		9+05	Sewer M.H. 16' Offset	
	Catch Basin	9+08		
		9+12	Catch Basin	
		10+70	Water Gate 13' Offset	
		10+83	Catch Basin	
	Catch Basin	10+87		
		11+19	Sewer M.H. 16' Offset	
		11+84	Water Gate 8' Offset	
	Water Gate 9' Offset	13+00		
	Catch Basin	13+10	Catch Basin	
	Water Gate 9' Offset	13+15		
	Water Gate 6' Offset	13+19		
	Water Gate 9' Offset	13+20		
		13+28	Sewer M.H. 16' Offset	
		13+38	Fisher St.	
		13+71	Catch Basin	
		14+60	Sewer M.H. 15' Offset	
	Water Gate 20' Offset	15+02		
		15+42	Catch Basin	
		15+73	Fort Hill St.	
	Water Gate 16' Offset	15+75		
	Water Gate 14' Offset	15+91		
	Water Gate 16' Offset	16+23		
	Water Gate 18' Offset	16+95		
	Water Gate 19' Offset	17+41		
	Water Gate 15' Offset	17+58		
	Water Gate 18' Offset	17+86		
	Catch Basin	18+22		
		18+25	Catch Basin	
	Water Gate 17' Offset	18+83		
	Water Gate 20' Offset	18+94		
	Water Gate 14' Offset	19+01		
		20+37	Sewer M.H. 17' Offset	
	Water Gate 17' Offset	20+81		
	Catch Basin	21+36	Catch Basin	
	Water Gate 12' Offset	23+29		
	Catch Basin	23+30		
		23+48	Sewer M.H.	
		23+56	Catch Basin 20' Offset	
		24+50	Catch Basin	
	Water Gate 12' Offset	24+82		
		25+64	Catch Basin	
	Catch Basin	25+83		
	Water Gate 17' Offset	27+67		
1	Pole	27+89		
	Catch Basin	28+75	Catch Basin	
1/1/2002	Pole	28+89		
	Water Gate 13' Offset	29+76		
2	Pole	29+80		
		30+64	Catch Basin	
3	Pole	30+72		
		31+02	Forest Ave.	
	Water Gate 12' Offset	31+67	Pole	24
		32+31	Rte. 167 sign	
	Water Gate 13' Offset	32+40		
	Catch Basin	33+50	Catch Basin	
	Water Gate 12' Offset	33+72		
		33+82	Pole	25



STP-1132(300)X Fort Fairfield Rte. 167 Level II				
Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
	Water Gate 11' Offset	35+00	25 MPH Sign	
		35+46		
		35+50	School St.	
	Catch Basin	35+75	Catch Basin	
		35+77	Pole	6
	Pole	37+63		
	Catch Basin	37+65	Pole	7
		37+73	Catch Basin	
		37+77	Sewer M.H. 15' Offset	
		38+56	Pole	8
		40+21	Pole	9
	Catch Basin	40+70	Catch Basin	
		41+27	Pole	10
	S. Pole	41+49		
		42+90	Pole	11
	Catch Basin	43+16	Catch Basin	
		45+16	Pole	12
		45+53	Sewer M.H. 20' Offset	
	Catch Basin	45+85		
		46+00	Catch Basin	
		46+91	Pole	13
		47+20	Sewer M.H. 15' Offset	
		48+82	Pole	14
	Rte. 167 Sign	50+05		
	Catch Basin	50+25		
		50+40	Catch Basin	
		50+42	Pole	15
	Water Gate 9' Offset/ Park St.	50+87		
		50+97	Sewer M.H. 15' Offset	
	Sewer M.H. 11' Offset	51+18		
	Park st.	51+21	Pleasant St.	
		51+65	Pole	21
	Catch Basin	52+65		
	Begin	53+00	Bridge	
	End	53+34	Bridge	
		53+56	Pole	22
		53+79	Dorsey Rd.	
	Gravel Drive	54+50		
	Catch Basin	54+64		
	Gravel Entr.	55+51	ATV Trail	
24X	Pole	56+70	Pole	24
		57+43	Gravel Entr.	
	Gravel Drive	57+56		
		57+84	Pole	25
25X	Pole	57+88		
		58+00	Sewer M.H. Under Pavement	
	Woods Entr.	58+22		
	Catch Basin - Alter Top	58+45		
		60+14	Pole	26
27X	Pole	60+70		
	Grass Drive	60+86		
		61+23	Pole	27
	Paved Drive	61+39		
		61+51	Border View St.	
		62+38	Pole/ Paved Drive	28
	Gravel Drive	63+02		
		63+28	Paved Drive	
		63+45	Pole	29
		64+37	Border View St.	
		64+56	Pole	30
	S. Pole	64+61		
		65+65	Paved Drive	
31X	S. Pole	66+15		
		66+56	Pole	31
	Gravel Drive	66+62		
31X1	S. Pole	67+62		
	Gravel Drive	68+63	Pole	32
		69+34	Grass Drive	
		70+09	Paved Drive	
		70+65	Pole	33
		71+50	Gravel Drive	
	Paved Drive	71+68		
34D	S. Pole	71+88		
		72+63	Pole	34
	Crush Rock Drive	73+02		
		73+35	Gravel Drive	

STP-1132(300)X Fort Fairfield Rte. 167 Level II				
Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
	Paved Drive	73+85		
		74+31	Sewer M.H.	
35X	Pole	74+52	Crush Rock Drive	
		74+88	Pole	35
	S.Pole	75+73		
	Paved Drive	75+86		
		76+31	Pole	36
		76+40	Begin Gravel Turn Out	
	S. Pole	77+05		
	Paved Drive	77+40	End Gravel Turn Out	
		77+54	Gravel Drive	
		78+13	Pole	37
	Gravel Drive	78+42		
		78+58	Gravel Drive	
		79+67	Sam Everett Rd.	
		79+97	Pole	38
	Compact Line	79+92		
38S	S. Pole	80+03		
	Gravel Drive	80+11		

Pavement Markings

<u>23+01</u>	<u>Cross Walk</u>	<u>Break</u>
<u>20+63</u>		
<u>20+54</u>	<u>Cross Walk</u>	<u>Break</u>
<u>16+31</u>		
<u>15+77</u>		<u>Fort Hill St.</u> <u>Break</u>
<u>14+03</u>		
<u>13+43</u>	<u>Cross Walk</u>	<u>Fisher st.</u> <u>Break</u>
<u>12+54</u>		
<u>12+47</u>	<u>Cross Walk</u>	<u>Break</u>
<u>9+37</u>		
<u>9+22</u>	<u>Cross Walk</u>	<u>Break</u>
<u>5+50</u>		
<u>5+39</u>	<u>Cross Walk</u>	<u>Break</u>
<u>3+01</u>		
<u>2+59</u>	<u>Cross Walk</u>	<u>Break</u>
<u>0+80</u>		
<u>0+70</u>	<u>Cross Walk</u>	<u>Break</u>
<u>0+03</u>		<u>Begin Project</u>

<u>64+27</u>		<u>Border View St.</u> <u>Break</u>
<u>61+70</u>		
<u>61+37</u>		<u>Border View St.</u> <u>Break</u>
<u>54+03</u>		
<u>53+68</u>		<u>Dorsey Rd.</u> <u>Break</u>
<u>51+48</u>		
<u>Park St.</u> <u>50+70</u>		<u>PLEASANT ST.</u> <u>Break</u>
<u>35+78</u>		
<u>35+35</u>		<u>School St.</u> <u>Break</u>
<u>31+29</u>		
<u>30+55</u>		<u>Forest Ave.</u> <u>Break</u>
<u>28+06</u>		
<u>27+98</u>	<u>Cross Walk</u>	<u>Break</u>
<u>27+11</u>		
<u>27+03</u>	<u>Cross Walk</u>	<u>Break</u>
<u>23+90</u>		
<u>23+67</u>	<u>Cross Walk</u>	<u>Break</u>
<u>23+10</u>		

<u>80+11</u>		<u>End Project</u>
<u>79+81</u>		
<u>79+31</u>		<u>Sam Everett Rd.</u> <u>Break</u>
<u>78+00</u>		
<u>73+15</u>		
<u>65+85</u>		
<u>64+55</u>		

CONSTRUCTION NOTES

**202.202 REMOVING PAVEMENT SURFACE**

<u>Station</u>	<u>Station</u>	<u>Length</u>
+3	30+70.0	3067.0

Pavement millings will become the property of the Maine Department of Transportation. The millings will be delivered by the contractor to the MDOT maintenance lot on the Caribou Rd. in Fort Fairfield.

The pavement millings will be stockpiled at the MDOT as directed by the Resident Engineer. Stockpiling will include placing the millings into one neat confined pile. No additional payment will be made for equipment necessary to complete the stockpiling.

**202.203 PAVEMENT BUTT JOINTS**

<u>Side</u>	<u>Station</u>	<u>Station</u>	<u>Length</u>	<u>Width</u>
Lt.&Rt.	79+61.0	79+91.0	30.0	24.0
Rt.	30+81.0	31+23.0	42.0	1.5
Rt.	35+32.0	35+68.0	36.0	1.5
Rt.	50+96.0	51+46.0	50.0	1.5
Rt.	52+29.0	52+81.0	52.0	1.5
Rt.	53+50.5	54+07.5	57.0	1.5
Rt.	61+26.5	61+75.5	49.0	1.5
Rt.	62+20.0	62+56.0	36.0	1.5
Rt.	63+21.0	63+35.0	14.0	1.5
Rt.	64+14.5	64+59.5	45.0	1.5
Rt.	65+53.0	65+77.0	24.0	1.5
Rt.	69+96.5	70+21.5	25.0	1.5
Rt.	79+34.0	79+92.0	58.0	1.5
Lt.	50+56.0	51+18.0	62.0	1.5
Lt.	61+31.5	61+46.5	15.0	1.5
Lt.	71+57.0	71+79.0	22.0	1.5
Lt.	73+73.5	73+96.5	23.0	1.5
Lt.	75+66.0	76+06.0	40.0	1.5
Lt.	77+27.5	77+52.5	25.0	1.5

Mainline, Side Roads, Along paved drives and end of sidewalks, as required and as directed by Resident

**403.209 HOT MIX ASPHALT 9.5 MM (INCIDENTALS)**

Paved Driveways = 9 ea.

Paved Aprons = 16 ea.

**403.210 HOT MIX ASPHALT 9.5 MM NOMINAL MIX SIZE**

Mainline surface to be paved to a depth of 1.5 inches in all areas of milling.

Mainline surface to be paved to a depth of .75 inches in overlay areas.

CONSTRUCTION NOTES

**403.211 HOT MIX ASPHALT 9.5 MM -SHIMMING**

Placed in overlay sections to reestablish grade for surface.

**409.15 BITUMINOUS TACK COAT APPLIED**

A tack coat will be placed before each coarse of HMA.

**411.10 UNTREATED AGG SURFACE CRS.TRUCK MEASURE**

To be used on gravel shoulders and gravel drives as directed by Resident.  
Shoulder stations 60+32 to 79+92 Lt and Rt.  
Approximately 14 driveways.

**411.12 CRUSHED STONE SURFACE**

Used in all drives already containing crushed stone to match to new pavement

**604.1800 ADJUST MANHOLE OR C.B. TO GRADE**

<u>Station</u>	<u>Side</u>	<u>Quantity</u>
58+45	Lt	1

**606.1722 BRIDGE TRANSITION - TYPE 2**

<u>Location</u>	<u>Side</u>	<u>Quantity</u>
53+41	Rt	1

**606.231 GUARDRAIL TYPE 3C - 15' RAD & LESS**

<u>Start Station</u>	<u>Side</u>	<u>Quantity</u>
53+70	LT	2

**606.232 GUARDRAIL TYPE 3C - OVER 15' RADIUS**

<u>Start Station</u>	<u>Side</u>	<u>Quantity</u>
53+53	RT	2

STP-1132(300)X  
FORT FAIRFIELD  
RTE 167  
LEVEL II

CONSTRUCTION NOTES

**606.23 GUARDRAIL TYPE 3C - Single Rail**

<u>Start Station</u>	<u>End Station</u>	<u>Side</u>	<u>Each</u>
53+46.5	53+59	Lt	1

**606.265 TERMINAL END - SINGLE RAIL - GALVANIZED STEEL**

<u>Station</u>	<u>Side</u>	<u>Each</u>
53+76	LT	1

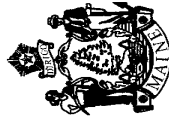
**606.35 GUARDRAIL DELINEATOR POST**

Install 2 at each guardrail end treatment

**606.79 GUARDRAIL 350 FLARED TERMINAL**

<u>Station</u>	<u>Side</u>	<u>Each</u>
53+60	Rt	1

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION



Fort Fairfield-Presque Isle

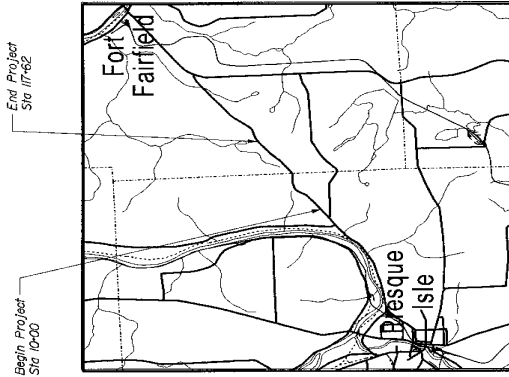
AROOSTOOK

Rte 167

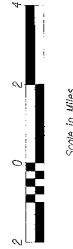
STP-1132(700)X

PROJECT LENGTH : 2.04 miles  
HMA OVERLAY PPM

STP-1132(700)X

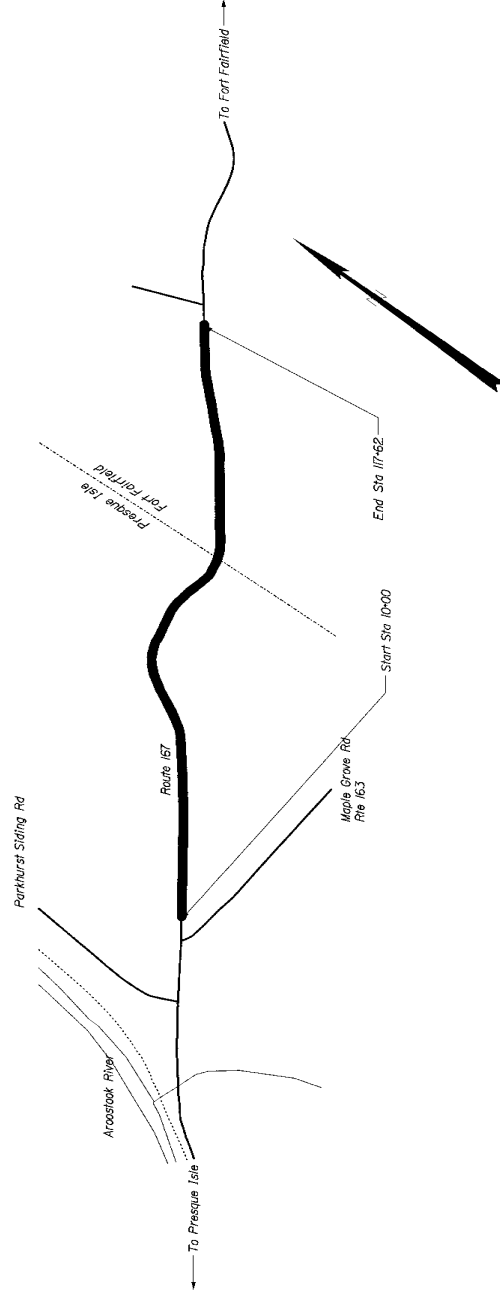


LOCATION MAP



TRAFFIC DATA

Current (2004) AADT	3970
Future (2016) AADT	4680
DHV - % of AADT	11
Design Hour Volume	577
% Heavy Trucks (AADT)	4
% Heavy Trucks (DHV)	3
Directional Distribution (DHV)	50
18 kip Equivalent P 2.0	105
18 kip Equivalent P 2.5	100
Design Speed (mph)	50



STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
APPROVED	DATE
COMMISSIONER: <i>[Signature]</i>	
CHIEF ENGINEER: <i>[Signature]</i>	
12/12/03	

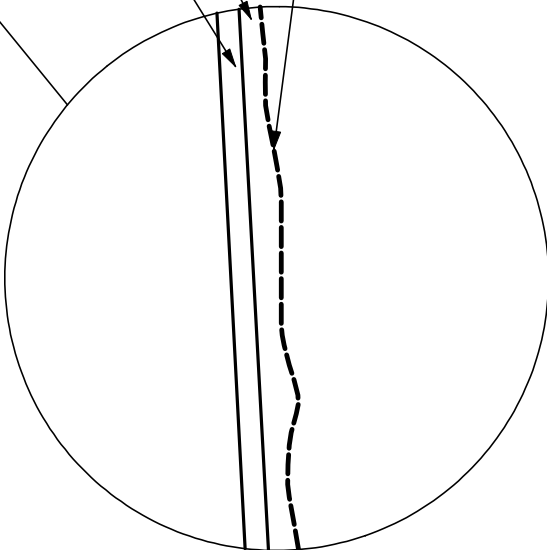
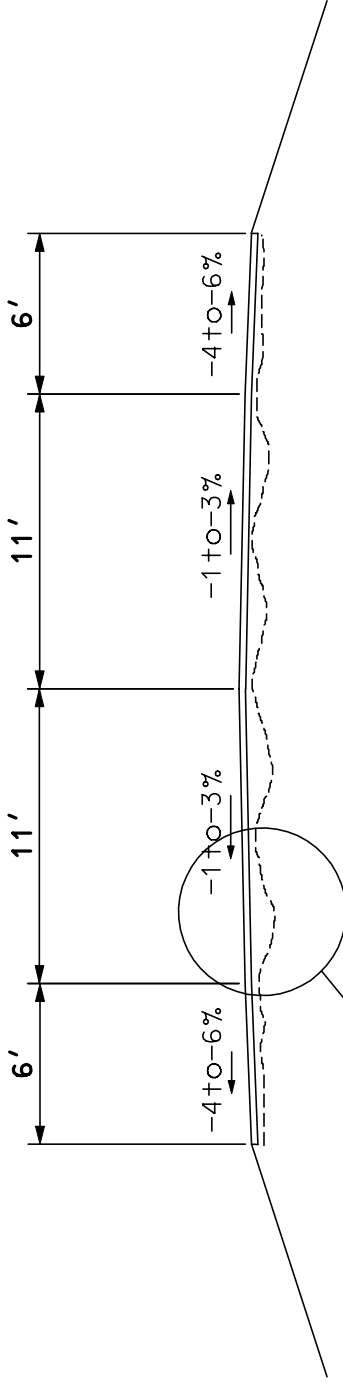
STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
COMMISSIONER: <i>[Signature]</i>	
CHIEF ENGINEER: <i>[Signature]</i>	
12/12/03	

PROJECT INFORMATION	
PROJECT NUMBER	1132700
PROJECT NAME	Fort Fairfield-Presque Isle
PROJECT LOCATION	AROOSTOOK
PROJECT LENGTH	2.04 miles
PROJECT TYPE	HMA OVERLAY PPM
PROJECT STATUS	Completed
PROJECT DATE	12/12/03

TITLE SHEET	
Rte 167	
Fort Fairfield-Presque Isle	
STP-1132(700)X	
PIN 11327.00	

SHEET NUMBER	1
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HOT MIX ASPHALT SHIM AND OVERLAY



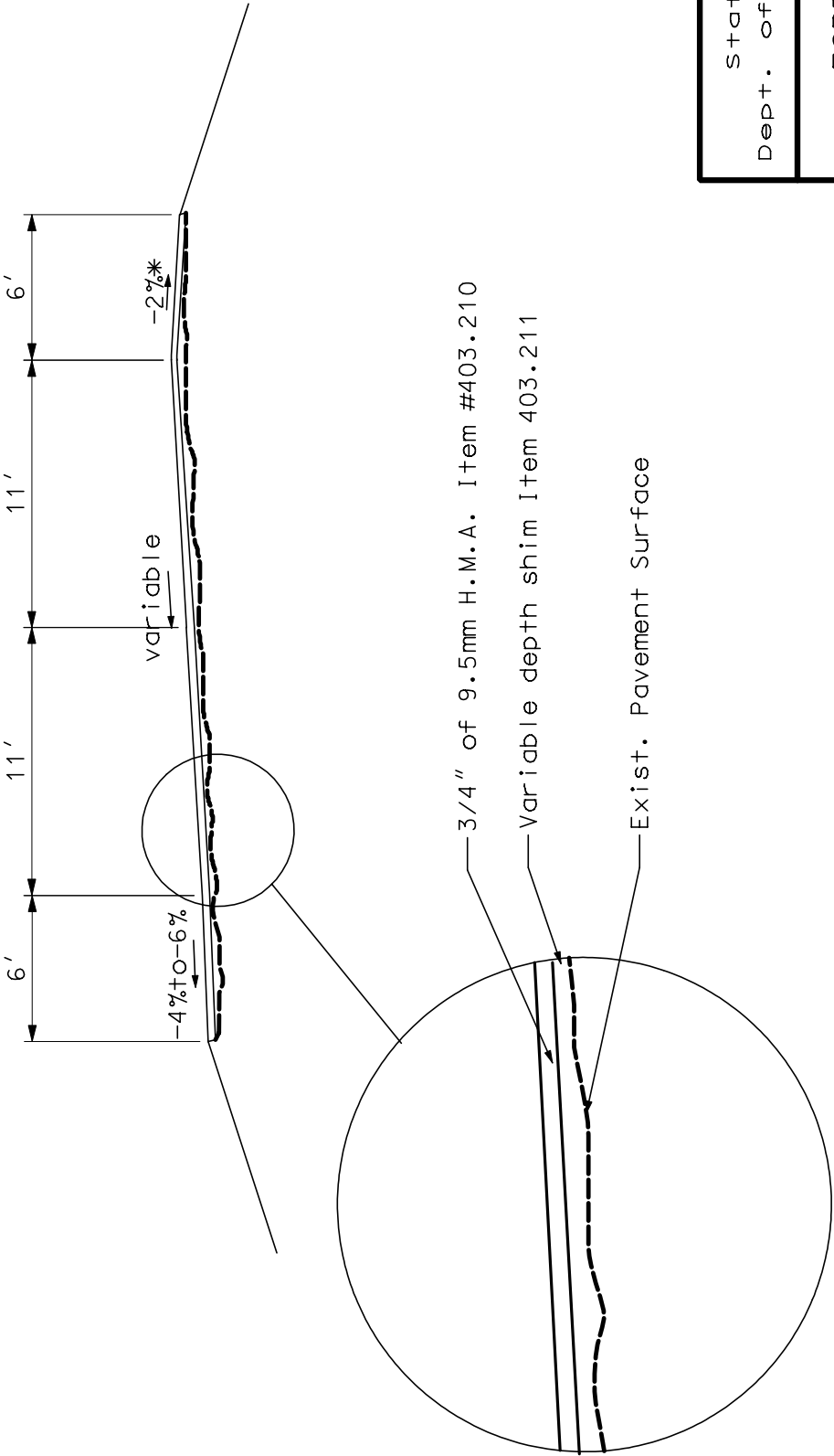
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State of Maine  
Dept. of Transportation

FORT FAIRFIELD  
Rte. 167  
Proj # STP-1132(700)X



HOT MIX ASPHALT SHIM AND OVERLAY  
SUPERELEVATION



IMPERIAL  
NOT TO SCALE

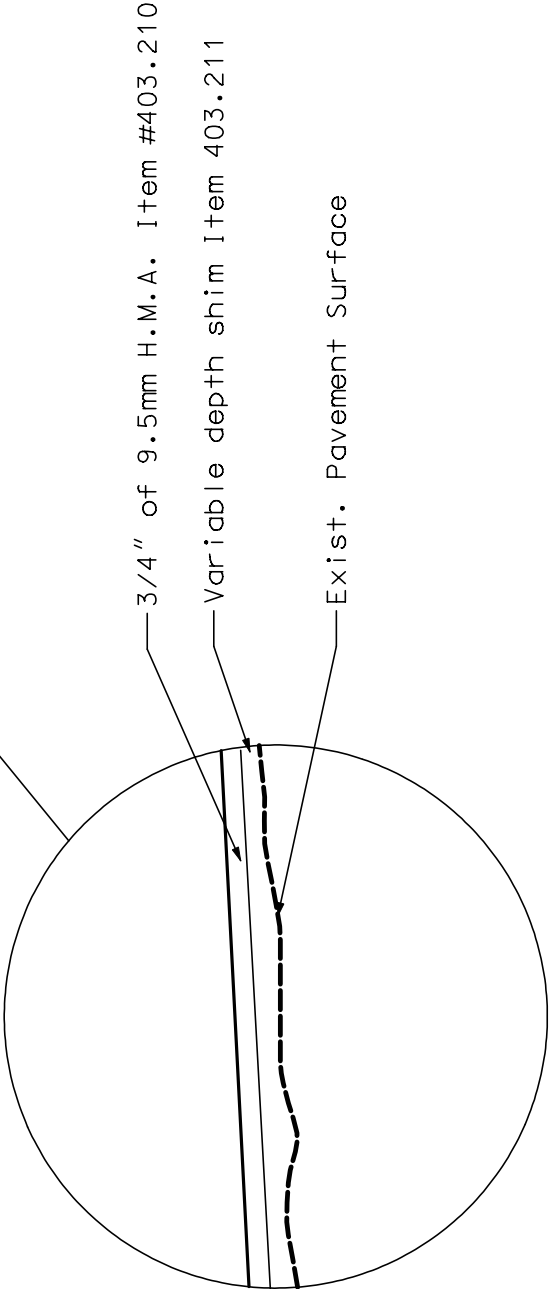
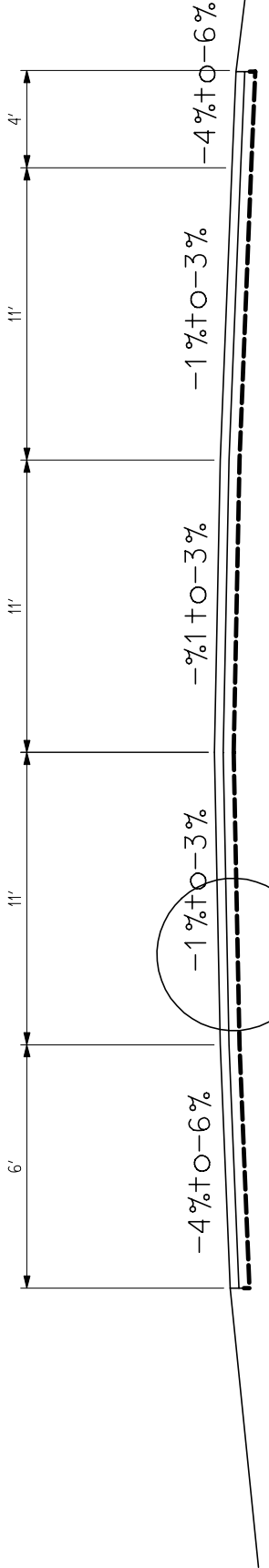
State of Maine  
Dept. of Transportation

FORT FAIRFIELD  
Rte. 167  
Proj # STP-1132(700)X

SHEET 2 of 4  
12/10/03

Notes:  
\*Shoulders shall have a cross slope of 2% on the high side of the superelevation when the algebraic difference in the rate of cross slope exceeds 8%

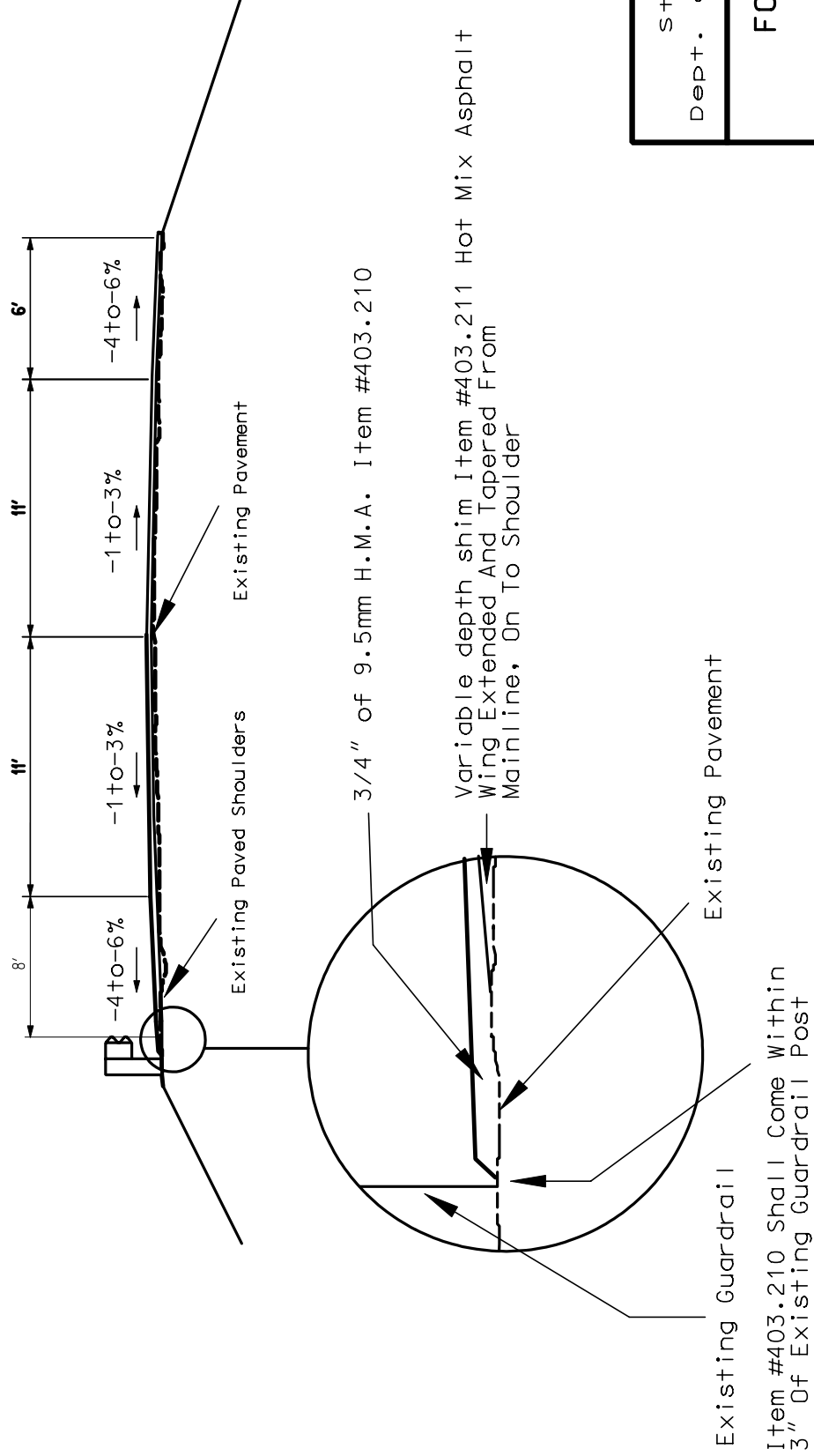
HOT MIX ASPHALT SHIM AND OVERLAY  
WITH TRUCK LANE  
STA 37+60 TO 84+60



IMPERIAL  
NOT TO SCALE

State of Maine Dept. of Transportation
FORT FAIRFIELD Rte. 167 Proj # STP-1132(700)X
SHEET 3 of 4
12/10/03

# Hot Mix Asphalt Shim and Overlay Guardrail Sections



IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

FORT FAIRFIELD

Rte. 167

Proj # STP-1132(700)X

SHEET 4 of 4

12/10/03

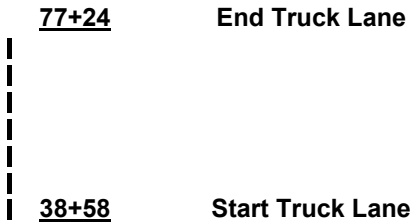
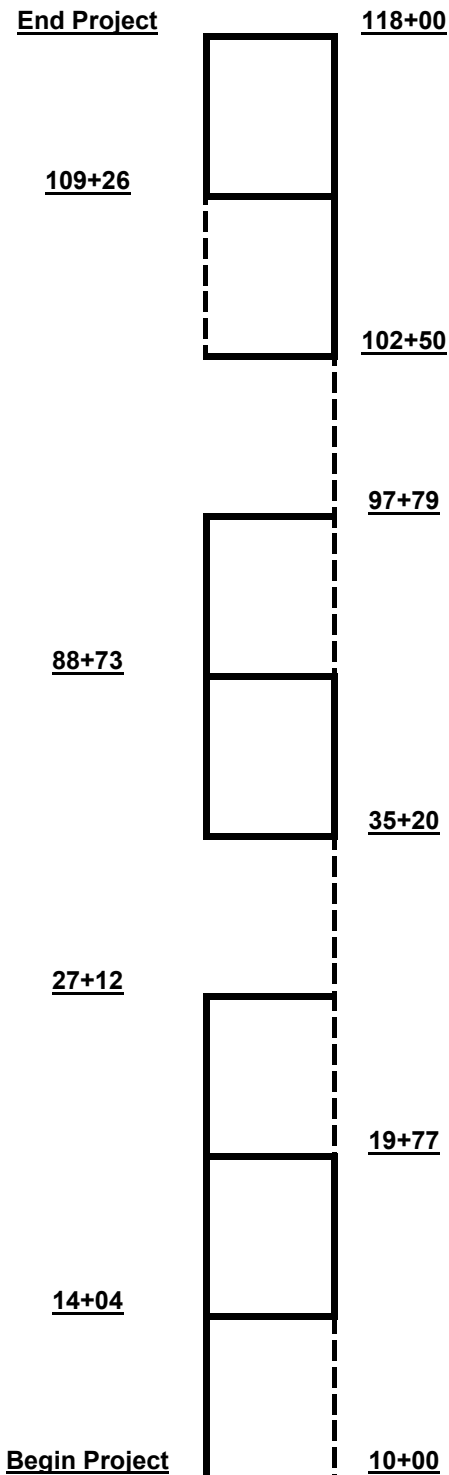
STP-1132(700)X  
Fort Fairfield, ME.  
Rte. 167  
PPM

Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
	Start	10+00	Project	
	Field Ent.	11+17		
		11+49	JCT 163 50mph Sign	
		12+51	Pole	94
		12+71	Field Ent.	
		15+33	Pole	95
		17+86	Pole	96
		20+55	Pole	97
		23+24	Pole	98
		25+05	Field Ent.	
	Gravel Golf Ent.	25+57		
		25+86	Pole	99
		28+48	Pole	100
		28+99	Field Ent.	
		31+41	Pole	101
		34+26	Pole	102
		37+13	Pole	103
		39+98	Pole	104
		42+48	Gravel Drive	
		42+84	Pole	105
		45+20	Pole	106
		45+48	Gravel Drive	
	Gravel Drive	45+51		
		46+28	Gravel Drive	
		47+72	Pole	106
		49+21	Gravel Drive	
107	Pole	49+22		
108	Pole	51+41		
109	Catch Basin-Pole	53+62		
110	Pole	55+90		
	Field Ent.	56+90		
	Catch Basin	57+65		
111	Pole	58+11		
	Pave Drive	58+47		
	Pole	60+56		
	Catch Basin	61+67		
113	Pole	62+35		
	Pave Drive	63+73		
	Gravel Drive	65+15		
115	Pole	65+75		
	Start Guard Rail	66+33		
		70+37	Woods Entr.	
117	Pole	70+41		
	End Guard Rail	70+60		
	Gravel Drive	70+77		
	Gravel Drive	71+90		
118	Pole	72+65		
	Gravel Drive	73+27		
	Gravel Drive	75+16		
119	Pole	75+50		
	Gravel Entr.	77+25		
	Pole-Curve Sign	78+05		
		78+80	Gravel Drive	
	Field Ent.	79+17		
	Pole	80+49		
		82+95	Pole	1206
	Gravel Drive	84+85		
		85+06	Fort Fairfield Sign	
		85+37	Pole	1207
	Field Ent.	85+91		
		87+93	Pole	1208
		90+40	Pole	1209
	Field Ent.	91+56		
		93+00	Pole	1210
	Crush Rock Drive	93+60		
		93+88	Field Ent.	
		95+51	Pole	123
	Pave Drive	96+66		
	Pave Drive	97+91		
724	S. Pole	98+12	Pole	72
		100+32	Pave Drive	
		100+81	Pole	71
		101+32	Catch Basin	
		102+59	Gravel Ent.	
		103+38	Pole	70
	Field Ent.	105+81	Pole	69

STP-1132(700)X  
Fort Fairfield, ME.  
Rte. 167  
PPM

Pole #	<u>Topo - Left</u>	Station Feet	<u>Topo - Right</u>	Pole #
	Gravel Drive	107+68		
		108+41	Pole	68
68D	S. Pole	108+73		
		108+95	Field Ent.	
	Catch Basin	109+88		
	Pave Drive	110+46		
		110+99	Pole	67
66D	S. Pole	112+92	Pole	66
		113+07	Gravel Drive	
65D	S. Pole	114+89	Pole	65
		115+48	Pave Drive	
		116+87	Project Mark	
	Field Ent.	117+36	Pole	64
	End	117+62	Project	

STP-1132(700)X  
Fort Fairfield, Me.  
Rte. 167  
PPM



**Note:**  
**Edge Line Right**  
37+80 Start of full width  
35+90 Begin truck lane taper

STP-1132(700)X  
Fort Fairfield, ME.  
Rte. 167  
PPM

## **Construction Notes**

### **202.203 PAVEMENT BUTT JOINTS**

<u>Side</u>	<u>Station</u>	<u>Station</u>	<u>Length</u>	<u>Width</u>
Lt & Rt	117+12.0	117+62.0	50.0	34
Rt	115+48.0		1.0	16
Lt	110+46.0		1.0	16
Rt	100+32.0		1.0	16
Lt	97+91.0		1.0	16
Lt	96+66.0		1.0	16
Lt	63+73.0		1.0	22
Lt	58+47.0		1.0	18
Rt	11+49.0		12.0	30
Lt & Rt	10+00.0	10+50.0	50.0	34

Mainline, Side Roads, Along paved drives and end of sidewalks, as required and as directed by Resident

### **403.209 HOT MIX ASPHALT 9.5 MM (INCIDENTALS)**

Paved Driveways = 7 ea.

Paved Aprons = 18 ea.

### **403.210 HOT MIX ASPHALT 9.5 MM NOMINAL MIX SIZE**

Mainline surface and the junction Route 163 to be paved to a depth of .75 inches.

### **403.211 HOT MIX ASPHALT, 9.5mm - SHIMMING**

Placed in overlay sections to reestablish grade for surface.

### **409.15 BITUMINOUS TACK COAT APPLIED**

A tack coat will be placed before each coarse of HMA.

### **411.10 UNTREATED AGG SURFACE CRS.TRUCK MEASURE**

To be used on gravel drives as directed by Resident.

Approximately 31 driveways and entrances.

### **411.12 CRUSHED STONE SURFACE**

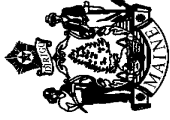
Used in all drives already containing crushed stone to match to new pavement

1 crushed drive.

### **609.31 CURB TYPE 3**

<u>Side</u>	<u>Station</u>	<u>Station</u>	<u>Length (Ft)</u>
Lt	112+64	113+64	100
Lt	55+04	56+85	181

# STATE OF MAINE DEPARTMENT OF TRANSPORTATION



## Twp 16 R04 Wels Twp 17 R05 Wels

### AROOSTOOK

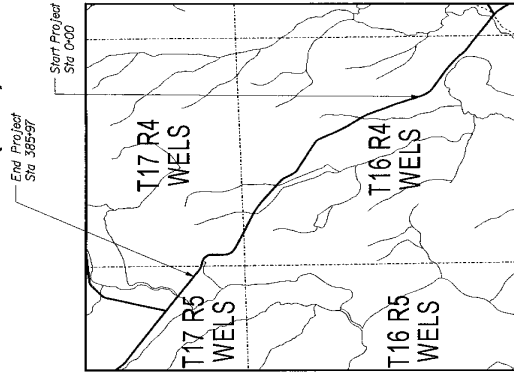
Route 161

### STP-1132(800)X

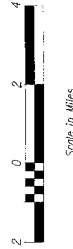
PROJECT LENGTH : 7.31 miles

HMA OVERLAY PPM

### STP-1132(800)X

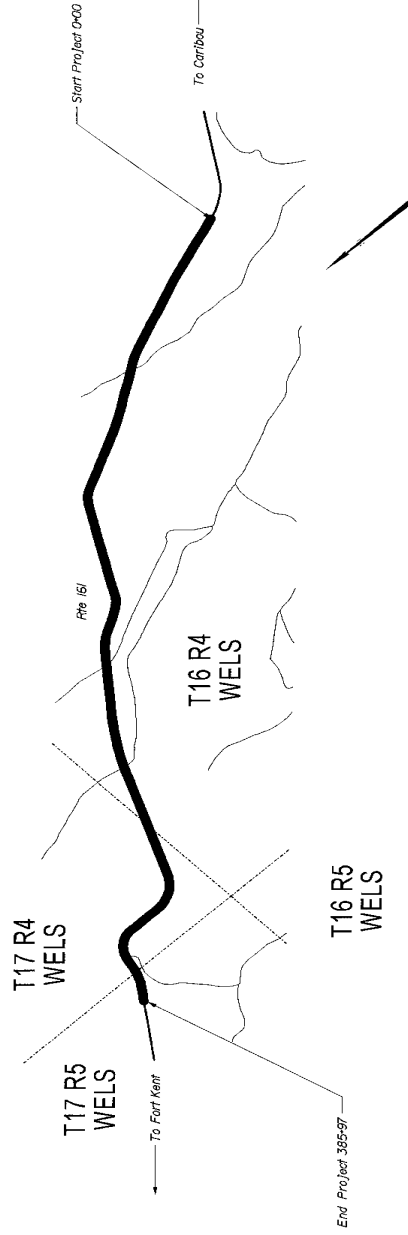


LOCATION MAP



### TRAFFIC DATA

Current (2004) AADT	1750
Future (2016) AADT	2070
DIY - % of AADT	10
Design Hour Volume	228
% Heavy Trucks (AADT)	16
% Heavy Trucks (DIY)	12
Directional Distribution (DHV)	61
18 kip Equivalent P 2.0	278
18 kip Equivalent P 2.5	265
Design Speed (mph)	55



STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
APPROVED	DATE
COMMISSIONER	12/12/03
CHIEF ENGINEER	12/12/03

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
SIGNATURE	DATE
DESIGNER	12/11/03
PROJECT MANAGER	5300
REGIONAL	5300
DEVELOPMENT	5300
PROJECT INFORMATION	5300

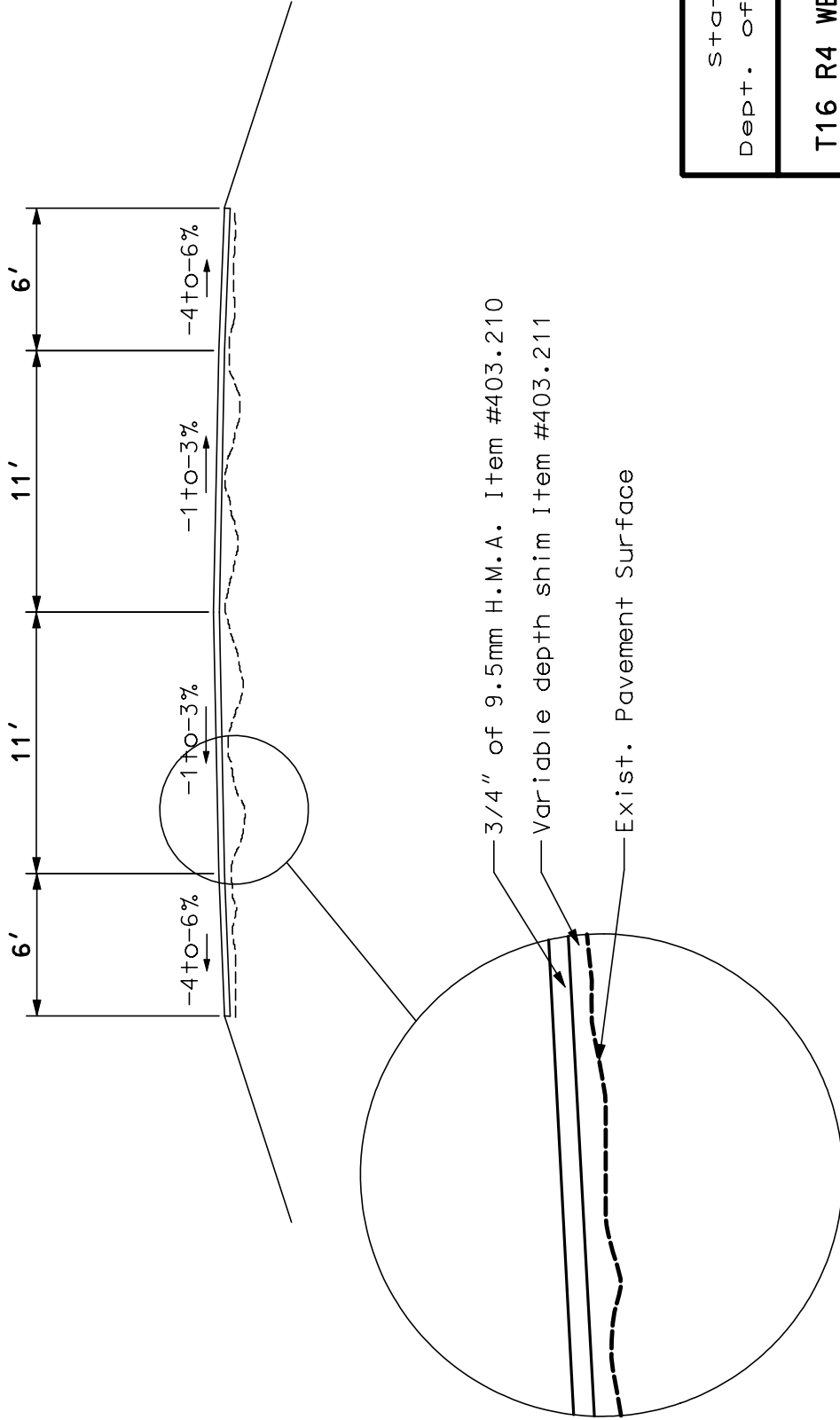
STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
PROJECT INFORMATION	5300
PROJECT MANAGER	5300
DESIGNER	5300
REGIONAL	5300
DEVELOPMENT	5300
PROJECT INFORMATION	5300

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
PROJECT INFORMATION	5300
PROJECT MANAGER	5300
DESIGNER	5300
REGIONAL	5300
DEVELOPMENT	5300
PROJECT INFORMATION	5300

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	
PROJECT INFORMATION	5300
PROJECT MANAGER	5300
DESIGNER	5300
REGIONAL	5300
DEVELOPMENT	5300
PROJECT INFORMATION	5300



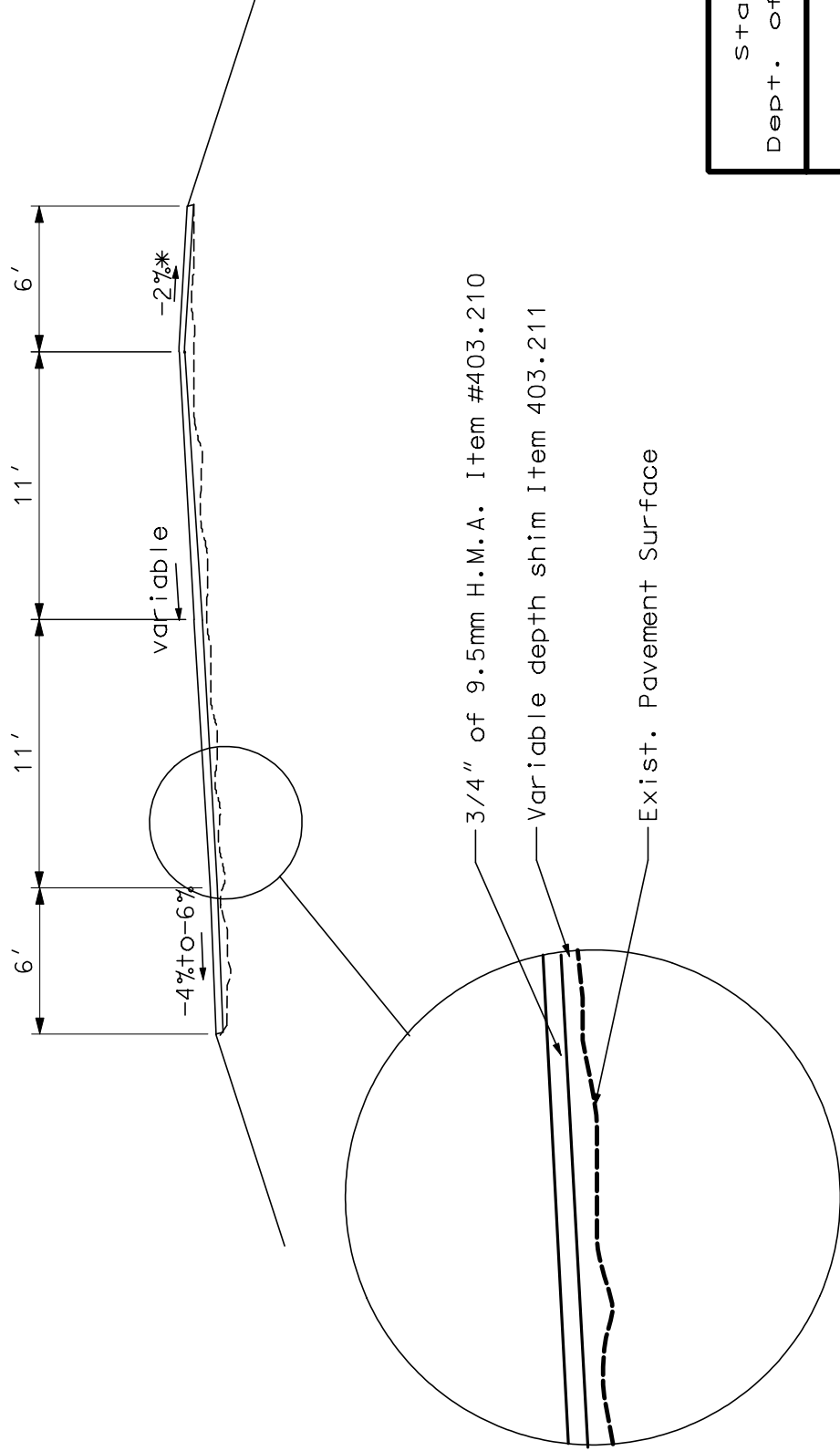
# HOT MIX ASPHALT SHIM AND OVERLAY



IMPERIAL  
NOT TO SCALE

State of Maine Dept. of Transportation	T16 R4 WELS - T17 R4 WELS Rte. 161 Proj # STP-1132(800)X	SHEET 1 of 4 12/10/03
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# HOT MIX ASPHALT SHIM AND OVERLAY SUPERELEVATION



Notes:  
\*Shoulders shall have a cross slope of 2% on the high side of the superelevation when the algebraic difference in the rate of cross slope exceeds 8%

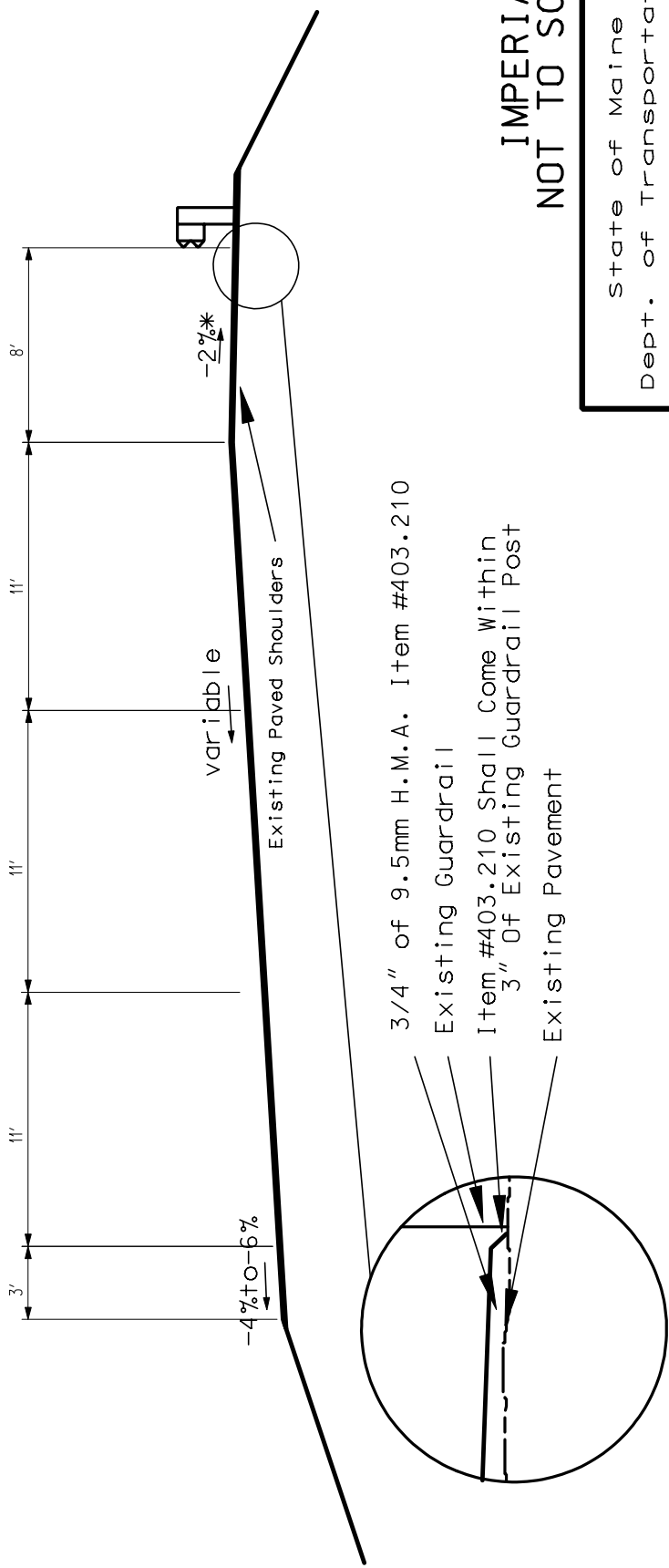
IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

T16 R4 WELS - T17 R4 WELS  
Rte. 161  
Proj # STP-1132(800)X

SHEET 2 of 4  
12/10/03

HOT MIX ASPHALT SHIM AND OVERLAY  
WITH TRUCK LANE (& GUARD RAIL TYPICAL)  
STA 323+32 TO 352+97



IMPERIAL  
NOT TO SCALE

State of Maine Dept. of Transportation	T16 R4 WELS - T17 R4 WELS Rte. 161 Proj # STP-1132(800)X
SHEET 3 of 4	
12/10/03	

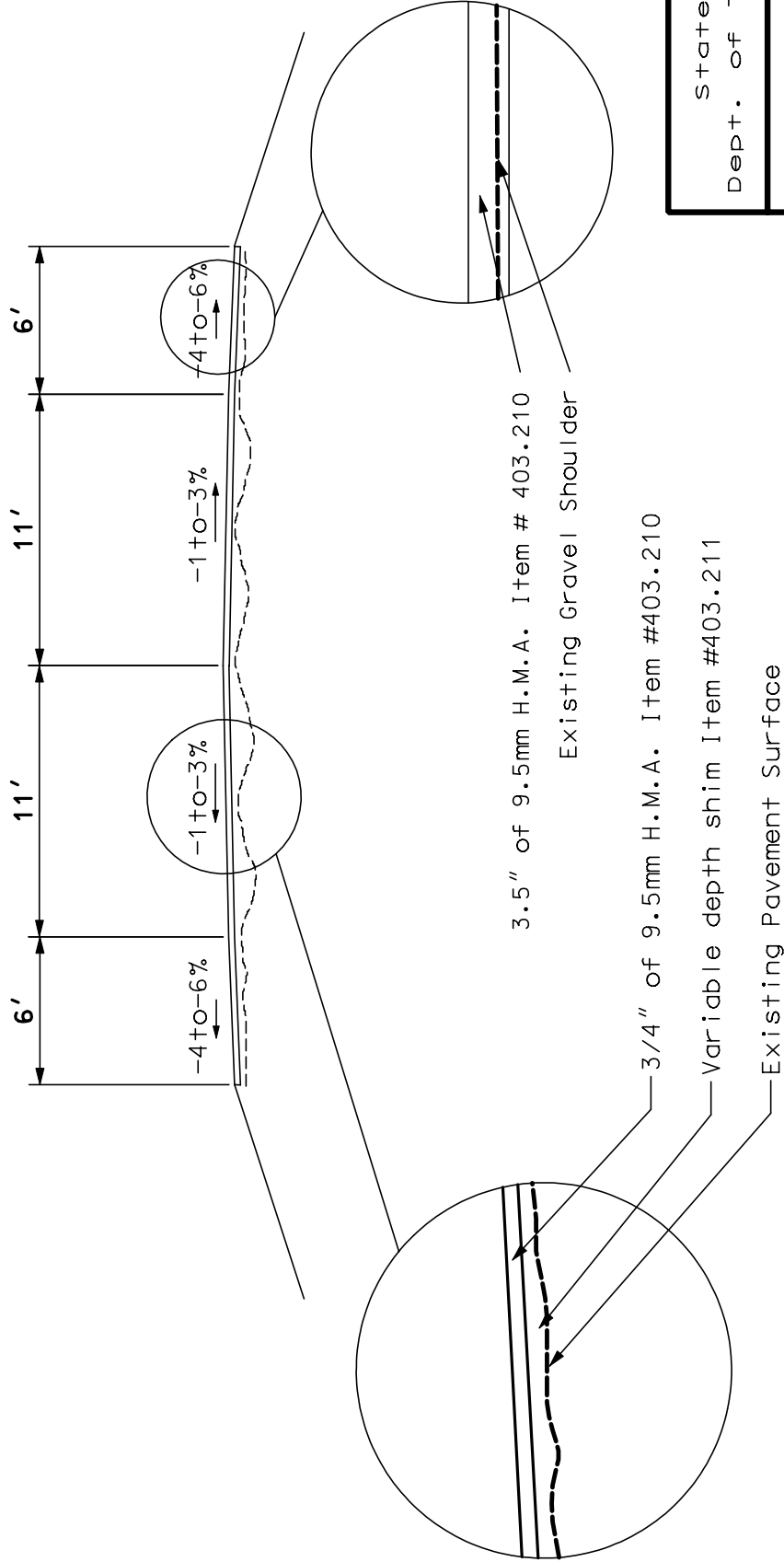
Notes:  
\*Shoulders shall have a cross slope of 2% on the high side of the superelevation when the algebraic difference in the rate of cross slope exceeds 8%

# HOT MIX ASPHALT SHIM AND OVERLAY

## Extension of Paved Shoulders

Sta. 377+55 RT to Sta. 385+97 RT

Sta. 368+75 LT to Sta. 385+97 LT



IMPERIAL  
NOT TO SCALE

State of Maine  
Dept. of Transportation

T16 R4 WELS - T17 R4 WELS  
Rte. 161  
Proj # STP-1132(800)X

STP-1132(800)X  
T16R4-T17R4  
161.00  
PPM

Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
116	PROJECT START POLE	0+00 0+31 1+07 1+75	PROJECT START  55 MPH	
117	POLE	2+82	GRAVEL ENT.-PICNIC AREA	
118	DEER X-ING SIGN POLE PAVED DRIVE	4+02 5+03 5+90 6+44	GRAVEL ENT.-PICNIC AREA  GRAVEL DRIVE	
	GRAVEL TURNOUT BEGIN GRAVEL TURNOUT END	12+83 14+78 55+16 71+76	LEFT CURVE SIGN	
	RIGHT CURVE SIGN	75+42	TRUCK X-ING SIGN	
	SWEDISH COLONY SIGN GRAVEL IRVING RD.	76+39 85+68 89+27 94+38	GRAVEL IRVING RD. MOOSE X-ING SIGN	
	TRUCK X-ING SIGN	110+75 112+31 122+17	WOODS ENT. LEFT CURVE SIGN GRAVEL PIT ENT.	
	WOODS ENT.	136+53 138+91 172+39	RIGHT CURVE SIGN RIGHT CURVE SIGN	
	LEFT CURVE SIGN	189+65 204+90 208+05		
	LEFT CURVE SIGN RIGHT CURVE SIGN GRAVEL ENT.-PICNIC AREA STREAM	209+09 209+51 223+93 239+37	STREAM	
	GRAVEL ENT.-PICNIC AREA WOODS ENT.	242+80 249+09 259+89 261+88	WOODS ENT.  FIELD ENT. ST. JOHN VALLEY SIGN COULOMBE RD. (IRVING)-GRAVEL 50 MPH	
	DISY RD.-PAVED MOOSE X-ING SIGN	262+42 272+25 276+45 277+49	FIELD ENT. T17-R4 MARKER DRIVE-PAVED APRON POLE	232-1
232	POLE	280+69 281+04 282+95	FIELD ENT.	
231	POLE	283+41		
230	POLE	285+71		
229	POLE	288+72		
228	POLE	290+90		
227	POLE	293+52		
226	FIELD ENT. POLE	293+85 296+37 296+46 296+70	TRUCKS ENTERING SIGN S. POLE GRAVEL DRIVE GRAVEL DRIVE	39729
225	POLE GRAVEL FIELD ENT.	297+05 297+94 298+90 299+46		
224	POLE	299+81 301+51 302+06	GRAVEL FIELD ENT. RIGHT CURVE SIGN DRIVE-PAVED APRON	
223	POLE	303+25 304+10 305+65		
222	PAVED DRIVE POLE	306+69 307+99 309+67	S. POLE GRAVEL FIELD ENT.	39723
221	POLE	312+02 313+36 313+88	GRAVEL FIELD ENT. GRAVEL FIELD ENT. R.O.W. MONUMENT BS 0338	
220	POLE	314+62 314+76 315+32	GRAVEL DRIVE LAWN ENT.	
219	POLE	316+86 318+18 318+56		
218	PAVED DRIVE POLE GRAVEL DRIVE GRAVEL DRIVE	319+17		
217	POLE			

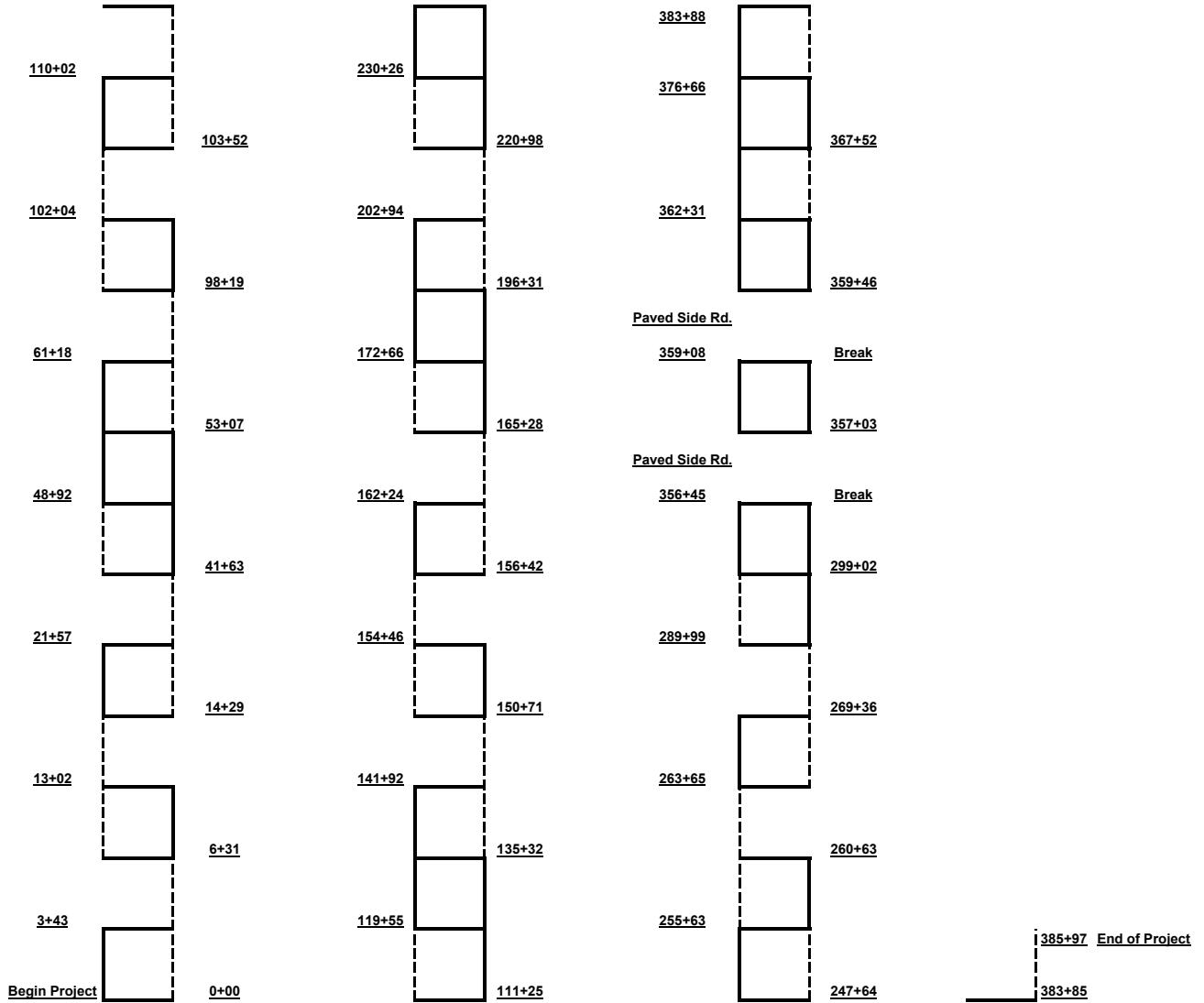
STP-1132(800)X  
T16R4-T17R4  
161.00  
PPM

Pole #	Topo - Left	Station Feet	Topo - Right	Pole #
216	GRAVEL DRIVE GRAVEL DRIVE-CHURCH POLE	319+44 320+63 321+58		
	PAVED DRIVE	323+09	FIELD ENT.-PAVED APRON	
215	START ASPHALT CURB POLE RIGHT LANE ENDS SIGN/END ASPHALT CURB	323+35 323+49 324+04 324+15 324+50		
	GRAVEL DRIVE	325+12	START GR	
214	LEFT CURVE SIGN POLE PAVED DRIVE START ASPHALT CURB	325+85 326+03 326+25 327+12 327+31	STEEP GRADE SIGN	
213	POLE END ASPHALT CURB	328+11 328+61 329+75	REVERSE CURVE SIGN	
212	GRAVEL PIT ENT. POLE	329+81 330+98		
211	POLE GRAVEL FIELD ENT.	333+43 335+42		
210	POLE	335+94		
209	POLE	338+67		
		340+68	END GR	
		340+93	START GR	
	START GR	341+05 343+43	POLE	208
		343+69	POLE	207
		346+08	END GR	
		346+27	GRAVEL FIELD ENT.	
		346+62	POLE	206
	END GR	347+44		
		349+38	POLE	205
		349+63	GRAVEL FIELD ENT.	
204	R.O.W. MONUMENT	351+11		
203	POLE	351+72		
	POLE	354+52		
		355+16	GRAVEL FIELD ENT.	
	SLOW TRAFFIC KEEP RIGHT SIGN	355+66		
	PAVED ROAD	356+58		
202	POLE	356+71	T17-R5 MARKER	
	PAVED ROAD	357+31		
	UNDERGROUND PHONE	359+07 361+40		
?	POLE	361+65	GRAVEL DRIVE	
		361+76		
	GRAVEL DRIVE	362+70	START ASPHALT CURB	
?	POLE	363+65		
		363+87		
?	POLE	365+81	END ASPHALT CURB	
	REVERSE CURVE SIGN	366+19		
	UNDERGROUND PHONE	366+50		
?	POLE	368+46		
	START MAINTENANCE MULCH/END PAVED SHOULDER	368+54 368+75	START MAINTENANCE MULCH	
		368+97	GRAVEL DRIVE	
	GRAVEL DRIVE	369+10	START ASPHALT CURB	
		369+77	CB	
	GRAVEL DRIVE	370+13	POLE	39687
		371+32		
	UNDERGROUND PHONE	371+39	END ASPHALT CURB	
		371+57	PAVED DRIVE	
	GRAVEL DRIVE	371+70	START ASPHALT CURB	
		372+53		
?	POLE	372+66	POLE	39685
	GRAVEL DRIVE	372+84		
	UNDERGROUND PHONE	373+15		
		373+32		
		373+40	CB	
	PAVED DRIVE	374+29		
	UNDERGROUND PHONE	374+81	POLE	39684
		375+29	END ASPHALT CURB	
		375+40	GRASS ENT.	
		375+49	START ASPHALT CURB	
		375+90	END ASPHALT CURB	

STP-1132(800)X  
T16R4-T17R4  
161.00  
PPM

Pole #	<u>Topo - Left</u>	Station Feet	<u>Topo - Right</u>	Pole #
		376+03	PAVED DRIVE	
		376+16	START ASPHALT CURB	
	POLE	376+46		
		376+61	POLE	39683
		376+70	END ASPHALT CURB	
	UNDERGROUND PHONE	376+75	BEGIN SHOULDER TAPER	
		377+55	End shoulder taper	
		379+00		
	POLE	379+41	Field ent.	
	GRAVEL DRIVE	380+32		
	POLE	382+37		
		384+71	GRAVEL DRIVE	
	UNDERGROUND PHONE	385+30		
	POLE	385+38	POLE	39679
	PROJECT END	385+97	PROJECT END	

Pavement Markings



Truck Lane

Dash Line

Station 323+46 to Station 352+88



STP-1132(800)X  
T16-R4/T17-R4  
RTE 161  
PPM

CONSTRUCTION NOTES

**202.203 PAVEMENT BUTT JOINTS**

<u>Side</u>	<u>Station</u>	<u>Station</u>	<u>Length</u>	<u>Width</u>
Lt.& Rt.	+0	+50.0	50.0	34.0
Lt.&Rt.	385+47.0	385+97.0	50.0	22.0
Rt	279+41.0	279+71.0	30.0	1.5
Rt	303+10.0	303+40.0	30.0	1.5
Rt	322+94.0	323+24.0	30.0	1.5
Rt	371+42.0	371+72.0	30.0	1.5
Rt	375+88.0	376+18.0	30.0	1.5
Lt	5+75.0	6+05.0	30.0	1.5
Lt	242+65.0	242+95.0	30.0	1.5
Lt	305+50.0	305+80.0	30.0	1.5
Lt	315+17.0	315+47.0	30.0	1.5
Lt	323+20.0	323+50.0	30.0	1.5
Lt	326+97.0	327+27.0	30.0	1.5
Lt	356+43.0	356+73.0	30.0	1.5
Lt	358+92.0	359+22.0	30.0	1.5
Lt	374+14.0	374+44.0	30.0	1.5

Mainline, Side Roads, Along paved drives and end of sidewalks, as required and as directed by Resident

**403.209 HOT MIX ASPHALTS 9.5 MM (INCIDENTALS)**

Paved Driveways = 25 ea.

Paved Aprons = 13 ea.

**403.210 HOT MIX ASPHALT 9.5 MM NOMINAL MIX SIZE**

Mainline surface to be paved to a depth of .75 inches.

**403.211 HOT MIX ASPHALT 9.5 MM (SHIM)**

Placed in overlay sections to reestablish grade for surface.

**409.15 BITUMINOUS TACK COAT APPLIED**

A tack coat will be placed before each coarse of HMA.

**411.10 UNTREATED AGG SURFACE CRS.TRUCK MEASURE**

To be used on gravel drives as directed by Resident.

Approximately 36 driveways and entrances.

## **411.12 CRUSHED STONE SURFACE**

Used in all drives already containing crushed stone to match to new pavement

## **609.31 CURB TYPE 3**

side	Station	Station
Lt	323+49.0	324+15.0
Rt	<u>376+16.0</u>	376+70.0

## **631.14 GRADER (INC OPERATOR)**

Used to remove existing shoulder material from Sta. 377+55 Rt to Sta. 385+97 Rt and Sta. 368+75 Lt to Sta. 385+97Lt to a depth of 2"

GENERAL NOTES

1. All joints between existing and proposed hot bituminous pavement shall be butted. Payment shall be made under Item 202.203 Pavement Butt Joint.
2. Construct Butt Joints at all paved drives and entrances.
3. The Contractor shall place suitable existing material, or other material acceptable to the Resident, on all pavement edges to allow no greater than a 40 mm [1 ½ in] drop-off and be graded to 3:1 or flatter. Payment to be incidental to the contract.
4. All waste material not used on the project shall be disposed of off the project in waste areas approved by the Resident
5. Any damage to the slopes caused by the Contractor's equipment, personnel, or operation shall be repaired to the satisfaction of the Resident. All work, equipment and materials required to make repairs shall be at the Contractor's expense.
6. A one meter [3 ft] paved lip shall be placed at all gravel entrances, except woods and field entrances, unless otherwise directed by the Resident.
7. Any necessary cleaning of existing pavement prior to paving shall be incidental to the related paving items.
8. All existing paved shoulders and widenings to be resurfaced as directed by the Resident.
9. Shoulder shim shall taper to 0 mm [0 in] at face of existing curb and guardrail.
10. When superelevation exceeds the slope of the low side shoulder, the shoulder will have same slope as traveled way.
11. No existing drainage shall be abandoned, removed or plugged without prior approval of the Resident.
12. Backing up bituminous curb is incidental to the curb items. In areas where new bituminous curb is designated to replace existing, the removal of the old bituminous curb shall be incidental to the new curb.
13. Trim all tree branches to 6 m [20 ft] above pavement. Payment shall be made under the appropriate labor and equipment rental items.
14. "Undetermined Locations" shall be determined by the Resident.

GENERAL NOTES

15. Stations referenced are approximate.
16. Grind transition tapers at Catch Basins under Item No. 202.203, Pavement Butt Joints, as directed by the Resident.
17. All work shall be done in accordance with the Maine Department of Transportation's Best Management Practices for Erosion Control & Sediment Control, January, 2000.
18. MDOT will final stripe the project. The Contractor is responsible for transferring the existing striping pattern to the surface course.
19. Plan and profile sheets for the previously constructed projects covering this project are available upon request. These projects are:
  - Fort Fairfield F-051-1 (8) D.O.T. File No. 2-378
  - Fort Fairfield F-051P (10)
  - Caribou M-3401 (1)
  - T17R4-T17R5 F-STP-054P(9)
  - T17R4-T17R5 RS-0338(13)
20. Pavement millings will become property of the Maine Department of Transportation. The millings will be delivered by the contractor to the MDOT maintenance lot on Caribou Rd. in Fort Fairfield. The pavement millings will be stockpiled at the lot into one neat confined pile. No additional payment will be made for equipment necessary to complete the stockpiling.

General Decision Number ME030009 06/13/2003 ME9

Superseded General Decision No. ME020009

State: Maine

Construction Type:  
HIGHWAY

County(ies):

AROOSTOOK	KNOX	SAGADAHOC
FRANKLIN	LINCOLN	SOMERSET
HANCOCK	OXFORD	WALDO
KENNEBEC	PISCATAQUIS	YORK

HIGHWAY CONSTRUCTION PROJECTS excluding major bridging (for example: bascule, suspension and spandrel arch bridges; those bridging waters presently navigating or to be navigatable; and those involving marine construction in any degree); tunnels, building structures in rest area projects and railroad construction.

Modification Number	Publication Date
0	06/13/2003

COUNTY(ies):

AROOSTOOK	KNOX	SAGADAHOC
FRANKLIN	LINCOLN	SOMERSET
HANCOCK	OXFORD	WALDO
KENNEBEC	PISCATAQUIS	YORK

ENGI0004V 04/01/2003

	Rates	Fringes
POWER EQUIPMENT OPERATORS:		
Pavers	16.51	6.00
Rollers	16.51	6.00

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SUME4024A 10/24/2000

	Rates	Fringes
CARPENTERS	11.60	1.51
IRONWORKERS		
Structural	12.03	1.58
LABORERS		
Drillers	10.00	2.50
Flaggers	6.00	
Guardrail Installers	7.92	
Landscape	7.87	.16
Line Stripper	8.69	.23
Pipelayers	9.21	2.31
Rakers	9.00	1.51
Sign Erectors	10.00	
Unskilled	8.66	1.38
Wheelman	8.50	.43
POWER EQUIPMENT OPERATORS		
Backhoes	11.87	2.05
Bulldozers	12.33	2.88
Cranes	14.06	1.75
Excavators	12.38	2.48
Graders	13.06	3.73

Loaders	11.41	2.87
Mechanics	13.18	2.57

## TRUCK DRIVERS

Dump	9.35	3.10
Tri axle	8.70	1.18
Two axle	8.56	2.19

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a) (1) (ii)).

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In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

## WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

4.) All decisions by the Administrative Review Board are final.  
END OF GENERAL DECISION

□

SPECIAL PROVISION  
CONSTRUCTION AREA

A Construction Area located in the **City of Caribou** has been established by the Maine Department of Transportation in accordance with provisions of Title 29, Section 1703, Maine Revised Statutes Annotated.

The section of highway under construction in Aroostook County, project STP-1125(100)X is located on Route 228, beginning at Lombard Road and extending easterly 0.64 of a mile to Route 161.

The State Department of Transportation or the State's Engineer may issue permits for stated periods of time for moving construction equipment without loads, low-bed trailers with overloads, over-height, over-width or over-length equipment or materials over all State maintained sections described in the "Construction Area" above and in addition may issue permits for stated periods of time for moving overweight vehicles and loads over the section described in (a) above. The right to revoke such a permit at any time is reserved by the State Department of Transportation and the issuance of such permits shall be subject to any Special Provisions or Supplemental Specifications written for this project.

A Temporary Permit for each move may be issued by the State Department of Transportation or the State's Engineer for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over highways maintained by the State reasonably within the area of the project.

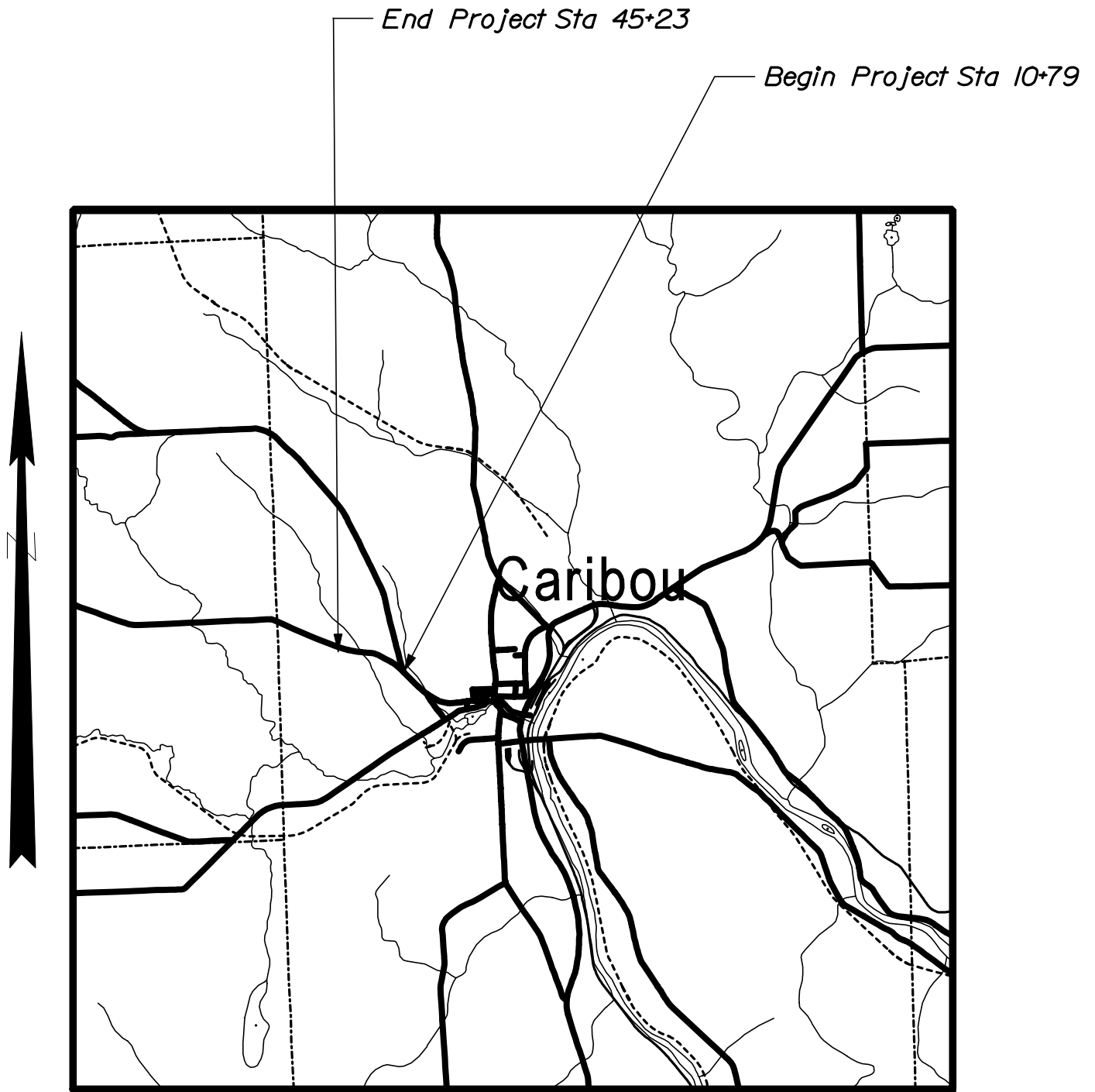
The Municipal Officers for the **City of Caribou** agreed that a permit will be issued to the Contractor for the purpose of hauling loads in excess of the limits as specified in Title 29, Maine Revised Statutes Annotated, on the town ways as described in the "Construction Area" and that single move permits will be issued for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over town ways reasonably within the area of the project.

In the event it is necessary to transport gravel, borrow, or other construction material in legally registered vehicles carrying legal loads over town ways, a Contractor's Bond of not more than Nine Thousand (\$9,000.00) per kilometer of traveled length may be required by the town, the exact amount of said bond to be determined prior to use of any town way.

The maximum speed limits for trucks on any town way will be forty (40) km per hour [25 mph], unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.



# STP-1125(100)X



## LOCATION MAP



*Scale in Miles*

Project No. STP-1132(300)X

SPECIAL PROVISION  
CONSTRUCTION AREA

A Construction Area located in the **Town of Fort Fairfield** has been established by the Maine Department of Transportation in accordance with provisions of Title 29, Section 1703, Maine Revised Statutes Annotated.

The section of highway under construction in Aroostook County, project STP-1132(300)X is located on Route 167, beginning at Route 1A and extending southeasterly 1.52 miles to a point just south of Sam Everett Road.

The State Department of Transportation or the State's Engineer may issue permits for stated periods of time for moving construction equipment without loads, low-bed trailers with overloads, over-height, over-width or over-length equipment or materials over all State maintained sections described in the "Construction Area" above and in addition may issue permits for stated periods of time for moving overweight vehicles and loads over the section described in (a) above. The right to revoke such a permit at any time is reserved by the State Department of Transportation and the issuance of such permits shall be subject to any Special Provisions or Supplemental Specifications written for this project.

A Temporary Permit for each move may be issued by the State Department of Transportation or the State's Engineer for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over highways maintained by the State reasonably within the area of the project.

The Municipal Officers for the **Town of Fort Fairfield** agreed that a permit will be issued to the Contractor for the purpose of hauling loads in excess of the limits as specified in Title 29, Maine Revised Statutes Annotated, on the town ways as described in the "Construction Area" and that single move permits will be issued for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over town ways reasonably within the area of the project.

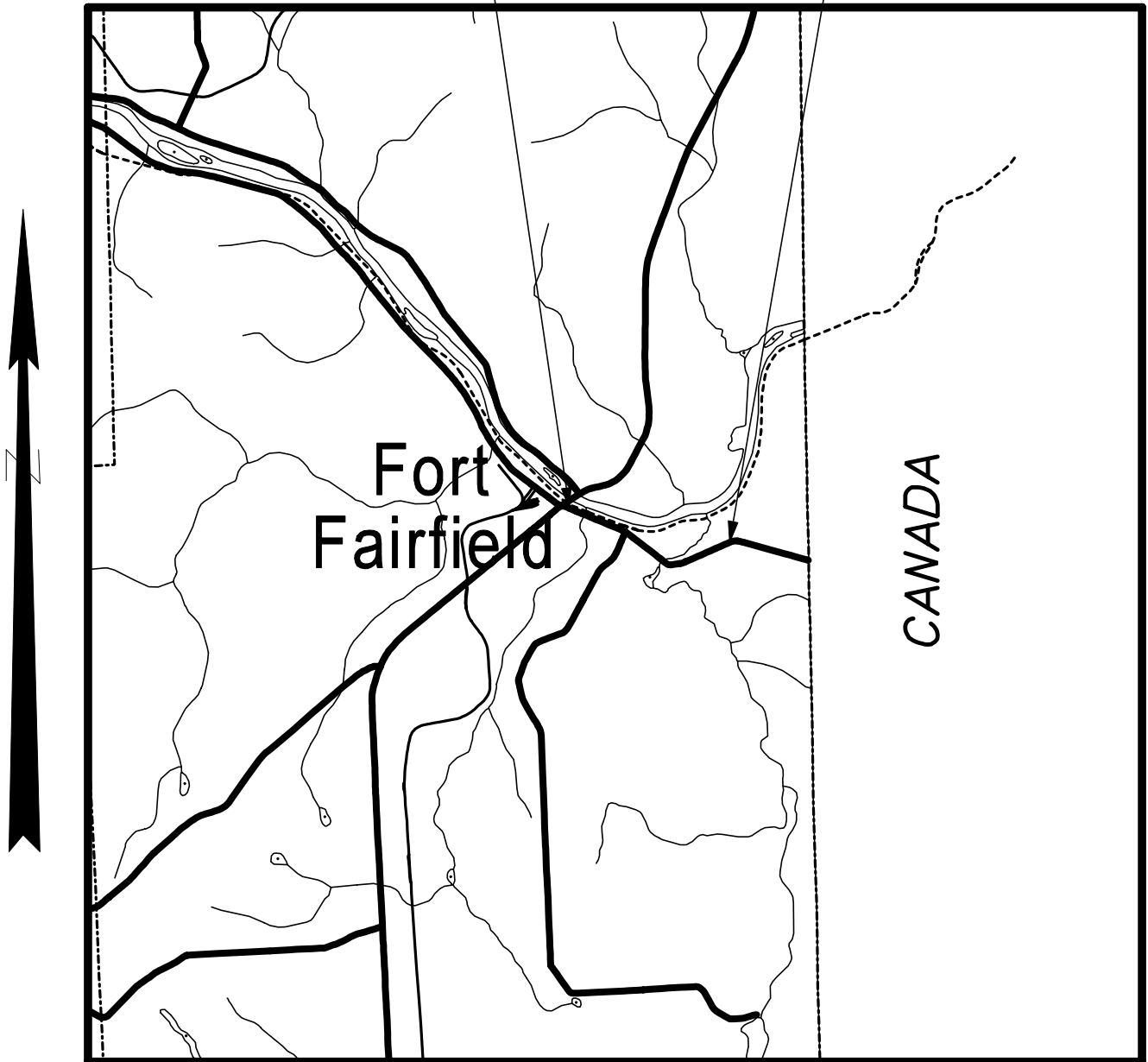
In the event it is necessary to transport gravel, borrow, or other construction material in legally registered vehicles carrying legal loads over town ways, a Contractor's Bond of not more than Nine Thousand (\$9,000.00) per kilometer of traveled length may be required by the town, the exact amount of said bond to be determined prior to use of any town way.

The maximum speed limits for trucks on any town way will be forty (40) km per hour [25 mph], unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

# STP-1132(300)X

*Begin Project 0+03*

*End Project 80+11*



LOCATION MAP



*Scale in Miles*

Project No. STP-1132(700)X

SPECIAL PROVISION  
CONSTRUCTION AREA

A Construction Area located in the **City of Presque Isle and Town of Fort Fairfield** has been established by the Maine Department of Transportation in accordance with provisions of Title 29, Section 1703, Maine Revised Statutes Annotated.

The section of highway under construction in Aroostook County, project STP-1132(700)X is located on Route 167, beginning at Route 163 and extending northerly 2.04 miles.

The State Department of Transportation or the State's Engineer may issue permits for stated periods of time for moving construction equipment without loads, low-bed trailers with overloads, over-height, over-width or over-length equipment or materials over all State maintained sections described in the "Construction Area" above and in addition may issue permits for stated periods of time for moving overweight vehicles and loads over the section described in (a) above. The right to revoke such a permit at any time is reserved by the State Department of Transportation and the issuance of such permits shall be subject to any Special Provisions or Supplemental Specifications written for this project.

A Temporary Permit for each move may be issued by the State Department of Transportation or the State's Engineer for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over highways maintained by the State reasonably within the area of the project.

The Municipal Officers for the **City of Presque Isle and Town of Fort Fairfield** agreed that a permit will be issued to the Contractor for the purpose of hauling loads in excess of the limits as specified in Title 29, Maine Revised Statutes Annotated, on the town ways as described in the "Construction Area" and that single move permits will be issued for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over town ways reasonably within the area of the project.

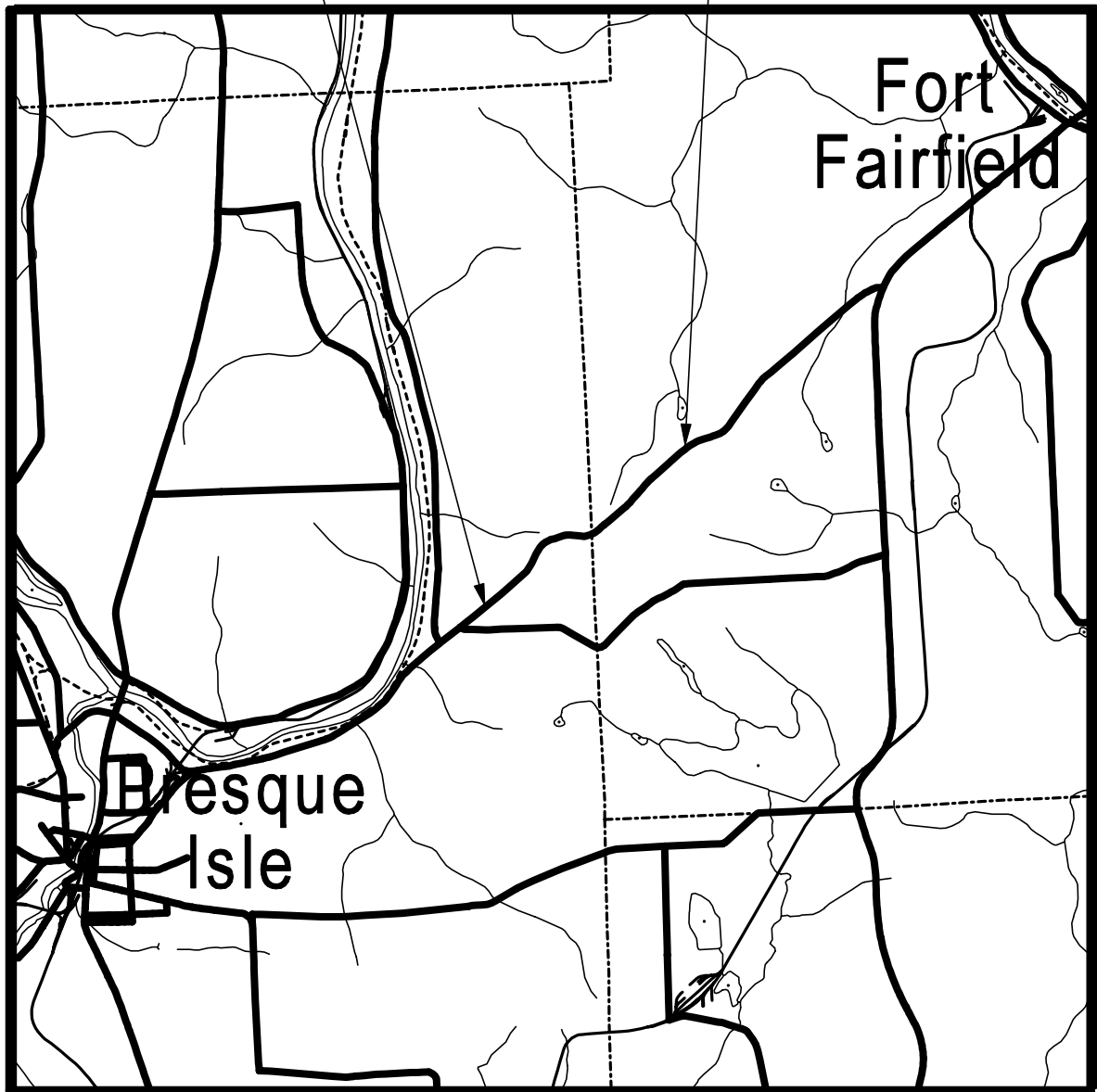
In the event it is necessary to transport gravel, borrow, or other construction material in legally registered vehicles carrying legal loads over town ways, a Contractor's Bond of not more than Nine Thousand (\$9,000.00) per kilometer of traveled length may be required by the town, the exact amount of said bond to be determined prior to use of any town way.

The maximum speed limits for trucks on any town way will be forty (40) km per hour [25 mph], unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

# STP-1132(700)X

*Begin Project  
Sta 10+00*

*End Project  
Sta 117+62*



LOCATION MAP



*Scale in Miles*

Project No. STP-1132(800)X

SPECIAL PROVISION  
CONSTRUCTION AREA

A Construction Area located in the **Townships of 16 R 04 Wels & 17 R 05 Wels** has been established by the Maine Department of Transportation in accordance with provisions of Title 29, Section 1703, Maine Revised Statutes Annotated.

The section of highway under construction in Aroostook County, project STP-1132(800)X is located on Route 161, beginning 3.53 miles northerly of the Stockholm town line and extending northerly 7.31 miles.

The State Department of Transportation or the State's Engineer may issue permits for stated periods of time for moving construction equipment without loads, low-bed trailers with overloads, over-height, over-width or over-length equipment or materials over all State maintained sections described in the "Construction Area" above and in addition may issue permits for stated periods of time for moving overweight vehicles and loads over the section described in (a) above. The right to revoke such a permit at any time is reserved by the State Department of Transportation and the issuance of such permits shall be subject to any Special Provisions or Supplemental Specifications written for this project.

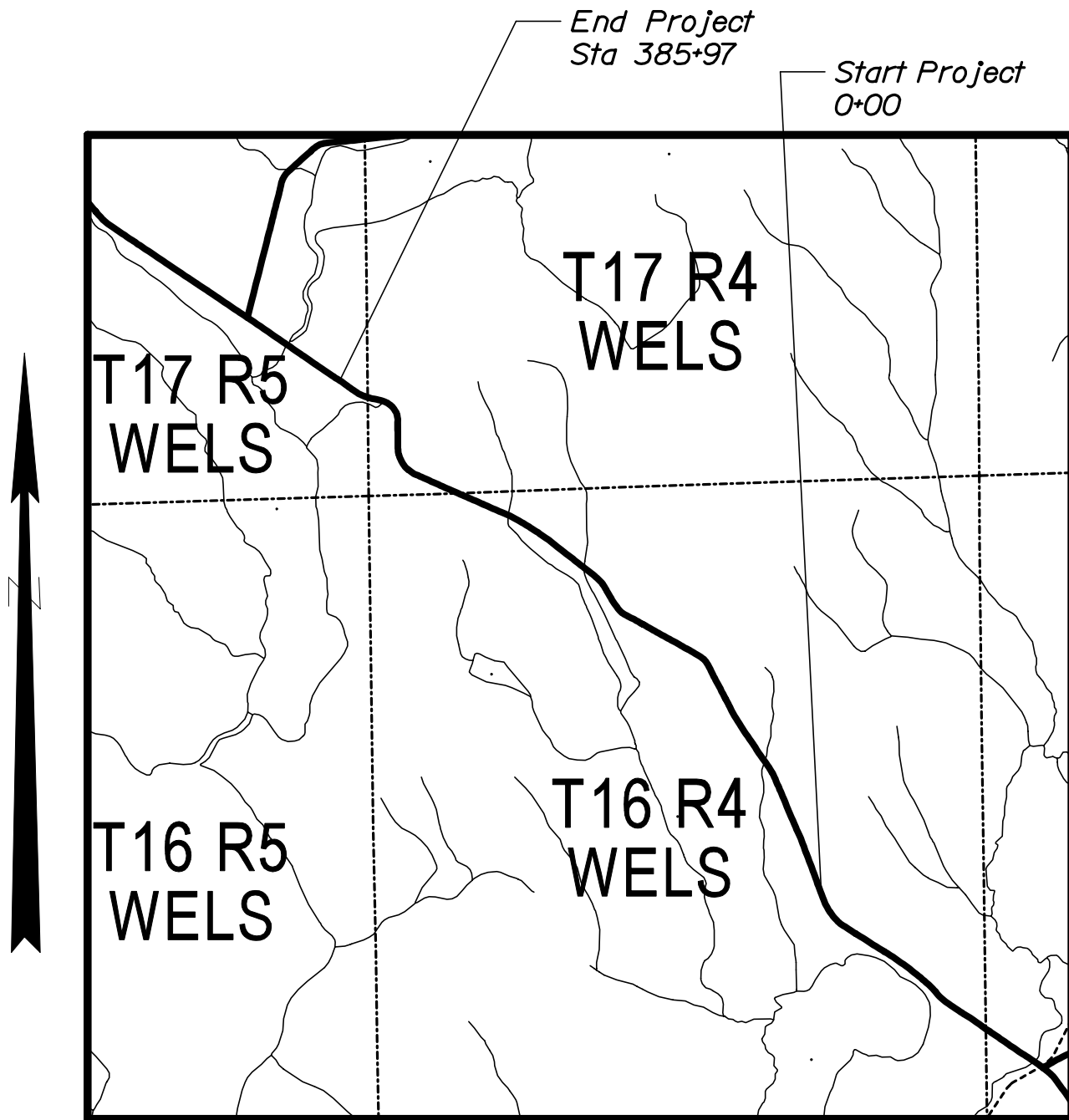
A Temporary Permit for each move may be issued by the State Department of Transportation or the State's Engineer for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over highways maintained by the State reasonably within the area of the project.

The County Officers for the **Townships 16 R 04 Wels & 17 R 05 Wels, Aroostook County** agreed that a permit will be issued to the Contractor for the purpose of hauling loads in excess of the limits as specified in Title 29, Maine Revised Statutes Annotated, on the town ways as described in the "Construction Area" and that single move permits will be issued for moving Contractor's construction equipment used on the project which exceeds the legal limits (shovels, bulldozers, etc.) to sources of construction material over town ways reasonably within the area of the project.

In the event it is necessary to transport gravel, borrow, or other construction material in legally registered vehicles carrying legal loads over town ways, a Contractor's Bond of not more than Nine Thousand (\$9,000.00) per kilometer of traveled length may be required by the town, the exact amount of said bond to be determined prior to use of any town way.

The maximum speed limits for trucks on any town way will be forty (40) km per hour [25 mph], unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

# STP-1132(800)X



LOCATION MAP



Scale in Miles

SPECIAL PROVISION  
CONSTRUCTION AREA

Title 29A, M.R.S.A., Subsection 2383. Overlimit movement permits

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move non-divisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation.
2. Permit Fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for these permits, at not less than \$3, nor more than \$15, based on weight, height, length and width.
3. County and municipal permits. A permit may be granted, for a reasonable fee, by county commissioners or municipal officers for travel over a way or bridge maintained by that county or municipality.
4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.
5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.
6. Scope of permit. A permit is limited to the particular vehicle or object to be moved and particular ways and bridges.
7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The Permit:
  - A. Must be procured from the municipal officers for a construction area within that municipality;
  - B. May require the Contractor to be responsible for damage to ways used in the construction areas and may provide for:
    - (1) Withholding by the agency of the work of final payment under contract;  
or
    - (2) The furnishing of a bond by the Contractor to guarantee suitable repair or payment of damages.
  - C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and
  - D. For construction areas, carries no fee and does not come within the scope of this section.
8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:



- A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;
  - B. Municipal officers, for all other ways and bridges within that city and compact village limits; and
  - C. The county commissioners, for county roads and bridges located in unorganized territory.
9. Pilot vehicles and state police escorts. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

Warning lights may only be operated and lettering on the signs may only be visible on a pilot vehicle while it is escorting on a public way a vehicle with a permit.

The Secretary of State shall require a State Police escort for a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width. The Secretary of State, with the advice of the Commissioner of Transportation, may require vehicles of lesser dimensions to be escorted by the State Police.

The Bureau of State Police shall establish a fee for State Police escorts.

All fees collected must be used to defray the cost of services provided.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation for the operation of pilot vehicles.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes.

1993, c. 683, § S-2, eff. January 1, 1995.

### Historical and Statutory Notes

#### Derivation:

R.S. 1954, c. 22 § 98  
Laws 1955, c. 389  
Laws 1967, c. 3.  
Laws 1971, c. 593, § 22.  
Laws 1973, c. 213.  
Laws 1975, c. 130, §  
Laws 1975, c. 319, § 2

Laws 1977, c. 73, § 5.  
Laws 1981, c. 413.  
Laws 1985, c. 225, § 1  
Laws 1987, c. 52.  
Laws 1987, 781, § 3.  
Laws 1989, c. 866, § B-13.  
Laws 1991, c. 388, § 8.  
Laws 1993, c. 683, § A-1.  
Former 29 M.R.S.A. § 2382.

#### Cross Reference

Collection by Secretary of State, See 29-A  
M.R.S.A. § 154.

**SPECIAL PROVISION**  
(Consolidated Special Provisions)

**SPECIAL PROVISION SECTION 101**  
**CONTRACT INTERPRETATION**

**101.2 Definitions - Closeout Documentation**

Replace the sentence “A letter stating the amount..... DBE goals.” with “DBE Goal Attainment Verification Form”

**SPECIAL PROVISION SECTION 102**  
**DELIVERY OF BIDS**  
(Location and Time)

**102.7.1 Location and Time** Add the following sentence “As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments & Submission of Bid Bond Validation Number form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.”

**SPECIAL PROVISION SECTION 103**  
**AWARD AND CONTRACTING**

**103.3.1 Notice and Information Gathering**

Change the first paragraph to read as follows: “After Bid Opening and as a condition for Award of a Contract, the Department may require an Apparent Successful Bidder to demonstrate to the Department’s satisfaction that the Bidder is responsible and qualified to perform the Work.”

**SPECIAL PROVISION SECTION 105**  
**GENERAL SCOPE OF WORK**

**105.6.2 Contractor Provided Services**

Change the first paragraph by the addition of the following as the second sentence: “The Contractor is also responsible for providing construction centerline, or close reference points, for all Utility Facilities relocations and adjustments as necessary to complete the Work.”

## SPECIAL PROVISION SECTION 106 QUALITY

106.6 Acceptance Add the following to paragraph 1 of A: “This includes Sections 401 - Hot Mix Asphalt, 402 - Pavement Smoothness, and 502 - Structural Concrete - Method A - Air Content.”

Add the following to the beginning of paragraph 3 of A: “For pay factors based on Quality Level Analysis, and”

## SPECIAL PROVISION SECTION 107 TIME

107.3.1 General Add the following: “If a Holiday occurs on a Sunday, the following Monday shall be considered a Holiday. Sunday or Holiday work must be approved by the Department, except that the Contractor may work on Martin Luther King Day, President’s Day, Patriot’s Day, the Friday after Thanksgiving, and Columbus Day without the Department’s approval.”

## SPECIAL PROVISION SECTION 108 PAYMENT

108.4 Payment for Materials Obtained and Stored First paragraph, second sentence, delete the words “...Delivered on or near the Work site at acceptable storage places.”

## SPECIAL PROVISION SECTION 109 CHANGES

109.1.1 Changes Permitted Add the following to the end of the paragraph: “There will be no adjustment to Contract Time due to an increase or decrease in quantities, compared to those estimated, except as addressed through Contract Modification(s).”

109.1.2 Substantial Changes to Major Items Add the following to the end of the paragraph: “Contract Time adjustments may be made for substantial changes to Major Items when the change affects the Critical Path, as determined by the Department”

109.4.4 Investigation / Adjustment In the third sentence, delete the words “subsections (A) - (E)”

109.7.2 Basis of Payment Replace with the following: “Equitable Adjustments will be established by mutual Agreement for compensable items listed in Section 109.7.3-Compensable Items, based upon Unit or Lump Sum Prices. If Agreement cannot be reached, the Contractor shall accept payment on a Force Account basis as provided in Section 109.7.5 - Force Account Work, as full and complete compensation for all Work relating to the Equitable Adjustment.”

109.7.3 Compensable Items Replace with the following: “The Contractor is entitled to compensation for the following items, with respect to agreed upon Unit or Lump Sum Prices:

1. Labor expenses for non-salaried Workers and salaried foremen.
2. Costs for Materials.
3. A markup on the totals of Items 1 and 2 of this subsection 109.7.3 for home office overhead and profit of the Contractor, its Subcontractors and suppliers, and any lower tier Subcontractors or suppliers, with no mark-ups on mark-ups.
4. Cost for Equipment, based on Blue Book Rates or leased rates, as set forth in Section 109.7.5(C), or the Contractor’s Actual Costs.
5. Costs for extended job-site overhead.
6. Time.
7. Subcontractor quoted Work, as set forth below in Section 109.7.5 (F).”

#### 109.7.5 Force Account Work

##### C. Equipment

Paragraph 2, delete sentence 1 which starts; “Equipment leased...”

Paragraph 6, change sentence 2 from “The Contractor may furnish...” to read “If requested by the Department, the Contractor will produce cost data to assist the Department in the establishment of such rental rate, including all records that are relevant to the Actual Costs including rental Receipts, acquisition costs, financing documents, lease Agreements, and maintenance and operational cost records.”

Add the following paragraph; “Equipment leased by the Contractor for Force Account Work and actually used on the Project will be paid for at the actual invoice amount plus 10% markup for administrative costs.”

Add the following section;

‘F. Subcontractor Quoted Work When accomplishing Force Account Work that utilizes Subcontractor quoted Work, the Contractor will be allowed a maximum markup of 5% for profit and overhead.”

### SPECIAL PROVISION SECTION 401 HOT MIX ASPHALT PAVEMENT

401.18 Quality Control Method A & B Make the following change to paragraph a. QCP Administrator; in the final sentence, change “...certified as a Plant Technician or Paving Inspector...” to “...certified as a Quality Assurance Technologist...”

401.201 Method A Under a. Lot Size, add the following; ‘Each lot will be divided into a minimum of four sublots for mix properties and five sublots for percent TMD.’”

### SPECIAL PROVISION SECTION 402 PAVEMENT SMOOTHNESS

Add the following: “Projects to have their pavement smoothness analyzed in accordance with this Specification will be so noted in Special Provision 403 - Bituminous Box.”

“402.02 Lot Size Lot size for smoothness will be 1000 lane-meters [3000 lane-feet]. A subplot will consist of 20 lane-meters [50 lane-feet]. Partial lots will be included in the previous lot if less than one-half the size of a normal lot. If greater than one-half the normal lot size, it will be tested as a separate lot.”

### SPECIAL PROVISION SECTION 502 STRUCTURAL CONCRETE

502.0502 Quality Assurance Method A - Rejection by Resident Change the first sentence to read: “For an individual subplot with test results failing to meet the criteria in Table #1, or if the calculated pay factor for Air Content is less than 0.80.....”

502.0503 Quality Assurance Method B - Rejection by Resident Change the first sentence to read: “For material represented by a verification test with test results failing to meet the criteria in Table #1, the Department will.....”

502.0505 Resolution of Disputed Acceptance Test Results Combine the second and third sentence to read: “Circumstances may arise, however, where the Department may .....”

**SPECIAL PROVISION SECTION 504**  
**REINFORCING STEEL**

504.18 Plates for Fabricated Members Change the second paragraph, first sentence from: "...ASTM A 898/A 898 M..." to "...ASTM A 898/A 898 M or ASTM A 435/A 435 M as applicable and..."

**SPECIAL PROVISION SECTION 535**  
**PRECAST, PRESTRESSED CONCRETE SUPERSTRUCTURE**

535.02 Materials Change "Steel Strand for Concrete Reinforcement" to "Steel Strand." Add the following to the beginning of the third paragraph; "Concrete shall be Class P conforming to the requirements in this section. 28 day compressive strength shall be as stated on the plans. Coarse aggregate...."

535.26 Lateral Post-Tensioning Replace the first paragraph; "A final tension..." with "Overstressing strands for setting losses cannot be accomplished for chuck to chuck lengths of 7.6 m [25 ft] and less. In such instances, refer to the Plans for all materials and methods. Otherwise, post-tensioning shall be in accordance with PCI standards and shall provide the anchorage force noted in the Plans. The applied jacking force shall be no less than 100% of the design jacking force."

**SPECIAL PROVISION SECTION 604**  
**MANHOLES, INLETS, AND CATCH BASINS**

604.02 Materials Add the following:

"Tops and Traps	712.07
Corrugated Metal Units	712.08
Catch Basin and Manhole Steps	712.09"

**SPECIAL PROVISION SECTION 615**  
**LOAM**

615.02 Materials Make the following change:

<u>Organic Content</u>	<u>Percent by Volume</u>
Humus	"5% - 10%", as determined by Ignition Test

## SPECIAL PROVISION SECTION 618 SEEDING

618.01 Description Change the first sentence to read as follows: “This work shall consist of furnishing and applying seed .....” Also remove “,and cellulose fiber mulch” from 618.01(a).

618.03 Rates of Application In 618.03(a), remove the last sentence and replace with the following: “These rates shall apply to Seeding Method 2, 3, and Crown Vetch.”

618.09 Construction Method In 618.09(a) 1, sentence two, replace “100 mm [4 in]” with “25 mm [1 in] (Method 1 areas) and 50 mm [2 in] (Method 2 areas)”

618.15 Temporary Seeding Change the Pay Unit from Unit to Kg [lb].

## SPECIAL PROVISION SECTION 620 GEOTEXTILES

620.03 Placement Section (c)

Title: Replace “Non-woven” in title with “Erosion Control”.

First Paragraph: Replace first word “Non-woven” with “Woven monofilament”.

Second Paragraph: Replace second word “Non-woven” with “Erosion Control”.

620.07 Shipment, Storage, Protection and Repair of Fabric Section (a)

Replace the third sentence with the following: “Damaged geotextiles, as identified by the Resident, shall be repaired immediately.”

620.09 Basis of Payment

Pay Item 620.58: Replace “Non-woven” with “Erosion Control”

Pay Item 620.59: Replace “Non-woven” with “Erosion Control”

## SPECIAL PROVISION SECTION 626 HIGHWAY SIGNING

626.034 Concrete Foundations Add to the following to the end of the second paragraph: “Pre-cast and cast-in-place foundations shall be warranted against leaning and corrosion for two years after the project is completed. If the lean is greater than 2 degrees from normal or the foundation is spalling within the first two years, the Contractor shall replace the foundation at no extra cost.”

**SPECIAL PROVISION SECTION 637**  
**DUST CONTROL**

637.06 Basis of Payment Add the following after the second sentence of the third paragraph: “Failure by the Contractor to follow Standard Specification or Special Provision - Section 637 and/or the Contractor’s own Soil Erosion and Pollution Control Plan concerning Dust Control and/or the Contractor’s own Traffic Control Plan concerning Dust Control and/or visible evidence of excessive dust problems, as determined by the Resident, will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department’s Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Additional penalties may also be assessed in accordance with Special Provision 652 - Work Zone Traffic Control and Standard Specification 656 - Temporary Soil Erosion and Water Pollution Control.”

**SPECIAL PROVISION SECTION 656**  
**TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL**

656.5.1 If Pay Item 656.75 Provided Replace the second paragraph with the following: “Failure by the Contractor to follow Standard Specification or Special Provision - Section 656 and/or the Contractor’s own Soil Erosion and Pollution Control Plan will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department’s Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item.”

**SPECIAL PROVISION SECTION 709**  
**REINFORCING STEEL AND WELDED STEEL WIRE FABRIC**

709.03 Steel Strand Change the second paragraph from “...shall be 12mm [½ inch] AASHTO M203M/M203 (ASTM A416/A416M)...” to “...shall be 15.24 mm [0.600 inch] diameter AASHTO M203 (ASTM A416)...”

**SPECIAL PROVISION SECTION 712**  
**MISCELLANEOUS HIGHWAY MATERIALS**

Add the following:



“712.07 Tops, and Traps These metal units shall conform to the plan dimensions and to the following specification requirements for the designated materials.

Gray iron castings shall conform to the requirements of AASHTO M105, Class 30, unless otherwise designated.

Carbon steel castings shall conform to the requirements of AASHTO M103/M103M. Grade shall be 450-240 [65-35] unless otherwise designated.

Structural steel shall conform to the requirements of AASHTO M183/M183M or ASTM A283/A283M, Grade B or better. Galvanizing, where specified for these units, shall conform to the requirements of AASHTO M111.

712.08 Corrugated Metal Units The units shall conform to plan dimensions and the metal to AASHTO M36/M36M. Bituminous coating, when specified, shall conform to AASHTO M190 Type A.

712.09 Catch Basin and Manhole Steps Steps for catch basins and for manholes shall conform to ASTM C478M [ASTM C478], Section 13 for either of the following material:

- (a) Aluminum steps-ASTM B221M, [ASTM B211] Alloy 6061-T6 or 6005-T5.
- (b) Reinforced plastic steps Steel reinforcing bar with injection molded plastic coating copolymer polypropylene. Polypropylene shall conform to ASTM D 4101.

712.23 Flashing Lights Flashing Lights shall be power operated or battery operated as specified.

- (a) Power operated flashing lights shall consist of housing, adapters, lamps, sockets, reflectors, lens, hoods and other necessary equipment designed to give clearly visible signal indications within an angle of at least 45 degrees and from 3 to 90 m [10 to 300 ft] under all light and atmospheric conditions.

Two circuit flasher controllers with a two-circuit filter capable of providing alternate flashing operations at the rate of not less than 50 nor more than 60 flashes per minute shall be provided.

The lamps shall be 650 lumens, 120 volt traffic signal lamps with sockets constructed to properly focus and hold the lamp firmly in position.

The housing shall have a rotatable sun visor not less than 175 mm [7 in] in length designed to shield the lens.

Reflectors shall be of such design that light from a properly focused lamp will reflect the light rays parallel. Reflectors shall have a maximum diameter at the point of contact with the lens of approximately 200 mm [8 in].

The lens shall consist of a round one-piece convex amber material which, when mounted, shall have a visible diameter of approximately 200 mm [8 in]. They shall distribute light and not diffuse it. The distribution of the light shall be asymmetrical in a downward direction. The light distribution of the lens shall not be uniform, but shall consist of a small high intensity portion with narrow distribution for long distance throw and a larger low intensity portion with wide distribution for short distance throw. Lenses shall be marked to indicate the top and bottom of the lens.

(b) Battery operated flashing lights shall be self-illuminated by an electric lamp behind the lens. These lights shall also be externally illuminated by reflex-reflective elements built into the lens to enable it to be seen by reflex-reflection of the light from the headlights of oncoming traffic. The batteries must be entirely enclosed in a case. A locking device must secure the case. The light shall have a flash rate of not less than 50 nor more than 60 flashes per minute from minus 30 °C [minus 20 °F] to plus 65 °C [plus 150 °F]. The light shall have an on time of not less than 10 percent of the flash cycle. The light beam projected upon a surface perpendicular to the axis of the light beam shall produce a lighted rectangular projection whose minimum horizontal dimension shall be 5 degrees each side of the horizontal axis. The effective intensity shall not have an initial value greater than 15.0 candelas or drop below 4.0 candelas during the first 336 hours of continuous flashing. The illuminated lens shall appear to be uniformly bright over its entire illuminated surface when viewed from any point within an angle of 9 degrees each side of the vertical axis and 5 degrees each side of the horizontal axis. The lens shall not be less than 175 mm [7 in] in diameter including a reflex-reflector ring of 13 mm [½ in] minimum width around the periphery. The lens shall be yellow in color and have a minimum relative luminous transmittance of 0.440 with a luminance of 2854° Kelvin. The lens shall be one-piece construction. The lens material shall be plastic and meet the luminous transmission requirements of this specification. The case containing the batteries and circuitry shall be constructed of a material capable of withstanding abuse equal to or greater than 1.21 mm thick steel [No. 18 U.S. Standard Gage Steel]. The housing and the lens frame, if of metal shall be properly cleaned, degreased and pretreated to promote adhesion. It shall be given one or more coats of enamel which, when dry shall completely obscure the metal. The enamel coating shall be of such quality that when the coated case is struck a light blow with a sharp tool, the paint will not chip or crack and if scratched with a knife will not powder. The case shall be so constructed and closed as to exclude moisture that would affect the proper operation of light. The case shall have a weep hole to allow the escape of moisture from condensation. Photoelectric controls, if provided, shall keep the light operating whenever the ambient light falls below 215 lx [20 foot candles]. Each light shall be plainly marked as to the manufacturer's name and model number.

If required by the Resident, certification as to conformance to these specifications shall be furnished based on results of tests made by an independent testing laboratory. All lights are subject to random inspection and testing. All necessary random samples shall be provided to the Resident upon request without cost to the Department. All such samples shall be returned to the Contractor upon completion of the tests.

712.32 Copper Tubing Copper tubing and fittings shall conform to the requirements of ASTM B88M Type A [ASTM B88, Type K] or better.

712.33 Non-metallic Pipe, Flexible Non-metallic pipe and pipe fittings shall be acceptable flexible pipe manufactured from virgin polyethylene polymer suitable for transmitting liquids intended for human or animal consumption.

712.34 Non-metallic Pipe, Rigid Non-metallic pipe shall be Schedule 40 polyvinylchloride (PVC) that meets the requirement of ASTM D1785. Fittings shall be of the same material.

712.341 Metallic Pipe Metallic pipe shall be ANSI, Standard B36.10, Schedule 40 steel pipe conforming to the requirements of ASTM A53 Types E or S, Grade B. End plates shall be steel conforming to ASTM A36/A36M.

Both the sleeve and end plates shall be hot dip galvanized. Pipe sleeve splices shall be welded splices with full penetration weld before galvanizing.

712.35 Epoxy Resin Epoxy resin for grouting or sealing shall consist of a mineral filled thixotropic, flexible epoxy resin having a pot life of approximately one hour at 10°C [50°F]. The grout shall be an approved product suitable for cementing steel dowels into the preformed holes of curb inlets and adjacent curbing. The sealant shall be an approved product, light gray in color and suitable for coating the surface.

712.36 Bituminous Curb The asphalt cement for bituminous curb shall be of the grade required for the wearing course, or shall be Viscosity Grade AC-20 meeting the current requirements of Subsection 702.01 Asphalt Cement. The aggregate shall conform to the requirements of Subsection 703.07. The coarse aggregate portion retained on the 2.36 mm [No. 8] sieve may be either crushed rock or crushed gravel.

The mineral constituents of the bituminous mixture shall be sized and graded and combined in a composite blend that will produce a stable durable curbing with an acceptable texture. Bituminous material for curb shall meet the requirements of Section 403 - Hot Bituminous Pavement.

712.37 Precast Concrete Slab Portland cement concrete for precast slabs shall meet the requirements of Section 502 - Structural Concrete, Class A.

The slabs shall be precast to the dimension shown on the plans and cross section and in accordance with the Standard Detail plans for Concrete Sidewalk Slab. The surface shall be finished with a float finish in accordance with Subsection 502.14(c). Lift devices of sufficient strength to hold the slab while suspended from cables shall be cast into the top or back of the slab.

712.38 Stone Slab Stone slabs shall be of granite from an acceptable source, hard, durable, predominantly gray in color, free from seams which impair the structural integrity and be of smooth splitting character. Natural color variations characteristic of the deposit will be permitted. Exposed surfaces shall be free from drill holes or indications of drill holes. The granite slabs in any one section of backslope must be all the same finish.

The granite slabs shall be scabble dressed or sawed to an approximately true plane having no projections or depressions over 13 mm [½ in] under a 600 mm [2 ft] straightedge or over 25 mm [1 in] under a 1200 mm [4 ft] straightedge. The arris at the intersection of the top surface and exposed front face shall be pitched so that the arris line is uniform throughout the length of the installed slabs. The sides shall be square to the exposed face unless the slabs are to be set on a radius or other special condition which requires that the joints be cut to fit, but in any case shall be so finished that when the stones are placed side by side no space more than 20 mm [¾ in] shall show in the joint for the full exposed height.

Liftpin holes in all sides will be allowed except on the exposed face.

### SPECIAL PROVISION SECTION 717 ROADSIDE IMPROVEMENT MATERIAL

717.05 Mulch Binder. Change the third sentence to read as follows:

“Paper fiber mulch may be used as a binder at the rate of 2.3 kg/unit [5 lb/unit].”

Towns: **Caribou, Fort Fairfield, Presque Isle**  
**TWP 16 & 17 RO5 WELS**  
Projects: **STP-1125(100)X, PIN 11251.00**  
**STP-1132(700)X, PIN 11327.00**  
**STP-1132(800)X, PIN 11328.00**  
Date: **December 17, 2003**

**SPECIAL PROVISIONS**  
**SECTION 104**  
**Utilities**

**MEETING**

A Pre-construction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications **is not** required.

**GENERAL INFORMATION**

These Special Provisions outline the arrangements that have been made by the Department for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction

**Overview:**

<b>Utility/Railroad</b>	<b>Aerial</b>	<b>Underground</b>
Maine Public Service Company	X	
Time Warner Cable Company	X	
Verizon	X	X
Northland Telephone	X	X
Caribou Water District		X

Temporary utility adjustments are **not** anticipated. If temporary relocation becomes necessary, sufficient time will need to be allowed prior to the construction for all required temporary relocation.

All utility crossings over highways will provide not less than 18 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Department if they are exceeded.

Manholes, valve boxes, service connections, and similar incidental utility plant are to be adjusted by the appropriate utility in cooperation with work being done by the Contractor.

**AERIAL**

No Aerial Utility adjustments are anticipated as part of this project. All above ground utility locations (hydrants, poles, guys, etc.) will be reviewed for compliance with the Department's Above Ground Pole Policy following the completion of the paving operation. Any above ground

Towns: **Caribou, Fort Fairfield, Presque Isle**  
**TWP 16 & 17 RO5 WELS**  
Projects: **STP-1125(100)X, PIN 11251.00**  
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**STP-1132(800)X, PIN 11328.00**  
Date: **December 17, 2003**

utility locations not meeting the Department's Above Ground Pole Policy will require relocation to the proper offset.

### **SUBSURFACE**

**Caribou Water Works** and **Caribou Sewer Dept.** have facilities in around the intersection of Rt. 161 & Rt. 228. Contractor shall notify **Caribou Water & Sewer** at least three (3) days prior to any excavating operations to allow the utility to determine facility locations in that area. The contact for **Caribou Sewer & Water** is Alan Hitchcock 496-0911.

### **UTILITY SIGNING**

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected at all times. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

### **SAFE PRACTICES AROUND UTILITY FACILITIES**

The Contractor shall be responsible for complying with M.R.S.A. Title 35-A, Chapter 7-A Sections 751 - 761 Overhead High-Voltage Line Safety Act. Prior to commencing any work that may come within ten (10) feet of any aerial electrical line; the Contractor shall notify the aerial utilities as per Section 757 of the above act.

### **DIG SAFE**

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavation work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine "Dig Safe" System.

### **MAINTAINING UTILITY LOCATION MARKINGS**

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

### **THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.**

The following utilities are known to be located on this project:

<b>Maine Public Service Company</b>	Ronald Bartley	496-0915
<b>Verizon</b>	Phillip Morrill	764-7413
<b>Time Warner Cable</b>	Tom Wilson	764-1213
<b>Northland Telephone</b>	Dwayne Hartin	463-9950
	Joe Martin (Location)	834-9941
<b>Caribou Water District</b>	Alan Hitchcock	496-0911

Towns: **Fort Fairfield**  
Projects: **STP-1132(300)X, PIN 11323.00**  
Date: **December 17, 2003**

**SPECIAL PROVISIONS**  
**SECTION 104**  
**Utilities**

**MEETING**

A Pre-construction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications **is not** required.

**GENERAL INFORMATION**

These Special Provisions outline the arrangements that have been made by the Department for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction

**Overview:**

<b>Utility/Railroad</b>	<b>Aerial</b>	<b>Underground</b>
Maine Public Service Company	X	X
Time Warner Cable Company	X	
Verizon	X	X
Fort Fairfield Utilities District		X

Temporary utility adjustments are **not** anticipated. If temporary relocation becomes necessary, sufficient time will need to be allowed prior to the construction for all required temporary relocation.

All utility crossings over highways will provide not less than 18 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Department if they are exceeded.

Manholes, valve boxes, service connections, and similar incidental utility plant are to be adjusted by the appropriate utility in cooperation with work being done by the Contractor.

**AERIAL**

No Aerial Utility adjustments are anticipated as part of this project. All above ground utility locations (hydrants, poles, guys, etc.) will be reviewed for compliance with the Department's Above Ground Pole Policy following the completion of the paving operation. Any above ground utility locations not meeting the Department's Above Ground Pole Policy will require relocation to the proper offset.

Towns: **Fort Fairfield**  
Projects: **STP-1132(300)X, PIN 11323.00**  
Date: **December 17, 2003**

### **SUBSURFACE**

**Fort Fairfield Utilities District** has facilities the entire length of project. Contractor shall notify **Fort Fairfield Utilities District** at least three (3) days prior to any excavating operations to allow the utility to determine facility locations in that area. The Sewer District has 22 manholes and the Water District has 37 water gates that will need to be worked around during the grinding and or shimming process. The utilities will require 10 working days to raise their respective structures to grade before final paving but after the grinding and or shim process. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The contact for **Fort Fairfield Utilities District** is **Rodney Deschaine** at **472-1391**

### **UTILITY SIGNING**

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected at all times. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

### **SAFE PRACTICES AROUND UTILITY FACILITIES**

The Contractor shall be responsible for complying with M.R.S.A. Title 35-A, Chapter 7-A Sections 751 - 761 Overhead High-Voltage Line Safety Act. Prior to commencing any work that may come within ten (10) feet of any aerial electrical line; the Contractor shall notify the aerial utilities as per Section 757 of the above act.

### **DIG SAFE**

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavation work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine "Dig Safe" System.

### **MAINTAINING UTILITY LOCATION MARKINGS**

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

### **THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.**

The following utilities are known to be located on this project:

<b>Maine Public Service Company</b>	Ronald Bartley	496-0915
<b>Time Warner Cable</b>	Tom Wilson	764-1213
<b>Verizon</b>	Phillip Morrill	764-7413
	Frank Connolly (Location)	990-5263
<b>Fort Fairfield Utilities District</b>	Rodney Deschaine	472-1391



SPECIAL PROVISION  
SECTION 107  
SCHEDULING OF WORK

Replace Section 107.4.2 with the following:

"107.4.2 Schedule of Work Required Within 21 Days of Contract Execution and before beginning any on-site activities, the Contractor shall provide the Department with its Schedule of Work. The Contractor shall plan the Work, including the activity of Subcontractors, vendors, and suppliers, such that all Work will be performed in Substantial Conformity with its Schedule of Work. The Schedule must include sufficient time for the Department to perform its functions as indicated in this Contract, including QA inspection and testing, approval of the Contractor's TCP, SEWPCP and QCP, and review of Working Drawings.

At a minimum, the Schedule of Work shall include a bar chart which shows the major Work activities, milestones, durations, and a timeline. Milestones to be included in the schedule include: (A) start of Work, (B) beginning and ending of planned Work suspensions, (C) Completion of Physical Work, and (D) Completion. If the Contractor Plans to Complete the Work before the specified Completion date, the Schedule shall so indicate.

Any restrictions that affect the Schedule of Work such as paving restrictions or In-Stream Work windows must be charted with the related activities to demonstrate that the Schedule of Work complies with the Contract.

The Department will review the Schedule of Work and provide comments to the Contractor within 20 days of receipt of the schedule. The Contractor will make the requested changes to the schedule and issue the finalized version to the Department."

**Special Provision**  
**Section 107**  
**Prosecution and Progress**  
**(Contract Time)**

1. The contractor will be allowed to commence work on or after May 24, 2004 provided that all required plans/submittals have been received and approved by the MDOT.
2. All work for P.I.N. 11323.00 shall be completed by July 10, 2004. For every day after this date that the project is not completed the contractor will be charged liquidated damages in the amount of \$750.
3. Only one paving operation will be allowed excluding hand placed paving unless approved by the Resident.
4. A 24 hour notice will be required for any changes in the work schedule.
5. Contractor will not be allowed to work on more than two projects simultaneously unless otherwise approved by the resident.
6. For every weekday not worked once operations commence, the contractor will be charged liquidated damages in the amount of \$750 (excluding inclement weather days).
7. The completion date for this contract is July 23, 2004.

SPECIAL PROVISION  
SECTION 401  
HOT MIX ASPHALT  
( $\frac{3}{4}$  inch (20mm) Surface Treatment)

Description The Contractor shall furnish and place one or more courses of Hot Mix Asphalt (HMA) pavement on an approved base in accordance with the Contract documents and in reasonably close conformity with the lines, grades, thicknesses and typical cross sections shown on the plans or established. The Department shall accept this work under Quality Assurance provisions as specified in Standard Specifications Section 401 – Hot Mix Asphalt Pavement, and Standard Specifications Section 106 - Quality.

The 20 mm [ $\frac{3}{4}$  in] HMA Surface Course shall meet all of the Materials, Seasonal Limitations and Construction requirements of Section 401, with the following additions and changes.

GRADATION REQUIREMENTS

Sieve Size	Percent Passing
12.5 mm	100
9.5 mm	95-100
4.75 mm	-95
2.36 mm	32-67
1.18 mm	-
0.600 mm	-
0.300 mm	-
0.075 mm	2-10

VOLUMETRIC DESIGN CRITERIA

Voids at N <sub>des</sub>	4.0
VMA	15.0 minimum
VFB	65-80
Fines/Eff.Binder	0.6-1.2

A test strip at a nominal depth of 30mm [ $1\frac{1}{4}$  in], full lane width, shall be required if the JMF has not been used or approved on a MDOT project in the current calendar year. If a test strip is required, it shall conform to the following requirements:

On roads open to two way traffic, the test strip shall be placed over the full width of the travel way section, not to exceed 600 meters [2000 ft] in length, or 400 Mg [440 ton] production. Prior to the placement of the test strip a passing verification test is required. A fog coat of Item 409.15, Bituminous Tack Coat, shall be applied to the level course prior to the placement of the 20mm Surface Treatment Course, payment to be made under the 409.15 pay item.

The test strip **shall not** be excluded from QA analysis, but will be evaluated in accordance with Section 401.03. The Contractor shall notify the Department at least 48 hours in advance of placing

the test strip. The test strip is intended to allow the Contractor to establish a method of compaction for the 20mm [ $\frac{3}{4}$  in] surface course areas. Once the methods are established, rolling patterns, equipment, and methods will become part of the QCP. The test strip will allow for any necessary adjustments to the mix design and or plant mixing procedures, as well as for the Department to evaluate the quality of the pavement.

Mix samples and cores will be obtained from the test strip. A minimum of three mix samples shall be randomly selected from the test strip. Five cores shall be randomly sampled from the mat and tested for density verification. Should the resulting core values average less than 92.0% TMD, (average of 5 tests ), the Department will reject the strip. The Contractor will remove and replace rejected test strips at their expense. After completion of the test strip, the Contractor shall make any final adjustments to the job mix formula in accordance to Standard Specifications, Section 401, subsection 401.03 - Composition of Mixtures, or compaction method. Paving operations shall not resume until the Contractor and the Department determines that material meeting the Contract requirements can be produced, and any changes to the Job Mix Formula have been approved by the Department. The Department shall pay for an accepted test strip as determined Section 401.222 – Pay Factor A and B, for this item. A new test strip shall be required if a current lot is terminated or completed, and a new lot is started.

The Department may halt the production and placement of the 20mm [ $\frac{3}{4}$  in] HMA Surface Course and require the construction of a new test strip if the Department finds that material being produced, hauled, or placed does not meet the requirements of Sections 401.08 through 401.18.

The Contractor shall sample, test, and evaluate Hot Mix Asphalt Pavement in accordance with the minimum frequencies outlined in Section 401, Table 2: Minimum Quality Control Frequencies.

The Contractor shall monitor plant production using running average of three control charts as specified in Section 106, and Control Limits as specified in Section 401, Table 3: Control Limits.

The Acceptance Criteria shall be as specified in Section 401, Table 4: Acceptance Criteria.

The Acceptance Limit targets will be as specified on the JMF, and the Department will use the appropriate Acceptance Limits table from Section, Table 5: Method A, or Table 7: Method B and C, for the acceptance method noted in the Special Provision 403.

The Contractor shall cease paving operations whenever one of the following occurs on a lot in progress:

- a) The Pay Factor for VMA, Voids @  $N_d$ , Percent PGAB, composite gradation, VFB, fines to effective binder or density using all Acceptance or all Quality Control tests for the current lot is less than 0.85.
- b) The Coarse Aggregate Angularity or Fine Aggregate Angularity value falls below the requirements of Section 703.07 , Table 3, for the design traffic level.
- c) Each of the first 2 control tests for the lot fall outside the upper or lower limits for VMA, Voids @  $N_d$ , or Percent PGAB. This includes any case where both tests are out on the same, or different properties.

- d) The Flat and Elongated Particles value exceeds 10 percent by ASTM D-4791.
- e) There is any visible damage to the aggregate due to over-densification other than on variable depth shim courses.
- f) The Contractor fails to follow the approved QCP.
- g) The Contractors control chart shows the process to be out of control on any property listed in Section 401, subsection 401.18 , Table 3: Control Limits

Price Adjustment The Department will apply price adjustments for the Hot Mix Asphalt utilized under this Special Provision as outlined in Section 401.222 : Pay Factor for methods A and B; mixes with Volumetric Property requirements.

Dispute Resolution The Contractor may dispute an acceptance test for this item as outlined in Section 401.223 for PGAB, Air Void, and VMA Content only.

Method of Measurement The Department will measure Hot Mix Asphalt pavement by the megagram in accordance with Section 109 - Measurement and Payment.

Basis of Payment The Department will pay for the Work, in place and accepted, in accordance with the applicable sections of the Special Provisions at the contract unit price per megagram(ton).

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
403.210 9.5mm Hot Mix Asphalt Pavement	Megagram (ton)

**SPECIAL PROVISION**

**SECTION 403**

**HOT MIX ASPHALT OVERLAY**

Desc. of Course	Grad. Design	Item Number	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<b><u>Main Line Traveled Way and Shoulders</u></b>						
<b><u>20mm [<math>\frac{3}{4}</math> inch] Overlay</u></b>						
Wearing	9.5mm	403.210	N/A	$\frac{3}{4}$ "	1	4,7,20,22
Shim	9.5mm	403.211	N/A	variable	1/more	2,4,7,10,20
<b><u>1 <math>\frac{1}{2}</math>" Mill and Overlay Areas</u></b>						
Wearing	9.5mm	403.210	N/A	1 $\frac{1}{2}$ "	1	4,7
<b><u>Approach Roads</u></b>						
Wearing	9.5mm	403.210	N/A	$\frac{3}{4}$ "	1	4,7,
<b><u>Drives, Misc.</u></b>						
Wearing	9.5mm	403.209	N/A	25-50mm	1/more	2,3,9,10,13

**COMPLEMENTARY NOTES**

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A "FINE" 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.
20. The Contractor may place the specified HMA pavement course, not to exceed  $\frac{3}{4}$  inch (20mm) compacted depth, over the full single travel lane width, for each production day. If this option is utilized the Contractor will be required to place a matching course of HMA over the adjacent section of travel lane before the end of the following calendar day. The Contractor will also be responsible for installing additional warning signage that clearly defines the centerline elevation differential hazard, as well as additional centerline delineation such as double RPM application, or temporary painted line. The Traffic Control Plan shall be amended to include this option and the additional requirements. All signs and traffic control devices will conform to Section 719.01, and Section 652, and will be installed prior to the work, at a maximum spacing of 0.50 mile [0.80 km] for the entire length of the effected roadway section. On roadways with two-way traffic, the Contractor will be required to place the specified course over the full width of the mainline traveled way being paved prior to opening the sections to weekend or holiday traffic. If this option is utilized, all additional signing, labor, traffic control devices, or incidentals will not be paid for directly, but will be considered incidental to the appropriate 652 items.
22. See Special Provision 401 –  $\frac{3}{4}$  inch (20mm) Surface Treatment for project specifics.

**Caribou STP-1125(100)X  
Fort Fairfield STP-1132(300)X  
Presque Isle STP-1132(700)X  
T16R4-T17R4 STP-1132(800)X  
20mm [ $\frac{3}{4}$  in] Surface Treatment  
Mill and Overly  
December 29, 2003**

**Tack Coat**

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd<sup>2</sup>, and on milled pavement approximately 0.5 gal/yd<sup>2</sup>, prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim / intermediate course and the surface course, at a rate not to exceed 0.025 gal/yd<sup>2</sup>.

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION  
SECTION 652  
MAINTENANCE OF TRAFFIC  
(Traffic Control)

652.7 Method of Measurement. This entire Subsection is revised to read:  
Traffic Control Supervisor, furnishing, installation, and maintenance of all traffic control devices will be measured as one **lump sum** for all work authorized and performed.

652.8 Basis of Payment. This entire Subsection is revised to read:  
Traffic Control will be paid for at the contract **lump sum** price. Payment will be full compensation for the Traffic Control Supervisor, approach signs, work area signs, drums, cones, panel markers, barricades, arrow boards etc. and maintenance thereof including the setting up and taking down of lane closures as many times as necessary shall be considered part of the lump sum price.

Maintenance of signs includes: replacing devices damaged, lost, or stolen, and cleaning and moving as many times as necessary throughout the life of the contract, regardless whether the work areas or projects are geographically separated or not separated.

The Lump Sum will be payable in installments as follows: 5% of the Lump Sum once the approach signing is complete and approved, with the 95% balance to be paid as the work progresses at a rate proportional to the percentage completion of the Contract.

Failure by the contractor to follow the Contracts 652 Special Provisions and/or The Manual on Uniform Traffic Control Devices (MUTCD) and/or The Contractors own Traffic Control Plan will result in a reduction in payment, computed by reducing The Lump Sum Total by 5% per occurrence. The Departments Resident Engineer or any other representative of The Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item.

All other requirements under the Standard Specifications Section 652 will be a part of the lump sum item.

**There will be no extra payment for this pay item after the expiration of contract time.**

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
652.39 Work Zone Traffic Control	Lump Sum



SPECIAL PROVISION  
SECTION 652  
MAINTENANCE OF TRAFFIC

Approaches Approach signing shall include the following signs as a minimum. Field conditions may warrant the use of additional signs as determined by the Resident.

Road Work Next x Miles  
Road Work 500 Feet  
End Road Work

Work Area At each work site, signs and channelizing devices shall be used as directed by the Resident. Signs include:

Road Work xxxx<sup>1</sup>  
One Lane Road Ahead  
Flagger Sign

Other typical signs include:

Be Prepared to Stop  
Low Shoulder  
Bump  
Pavement Ends

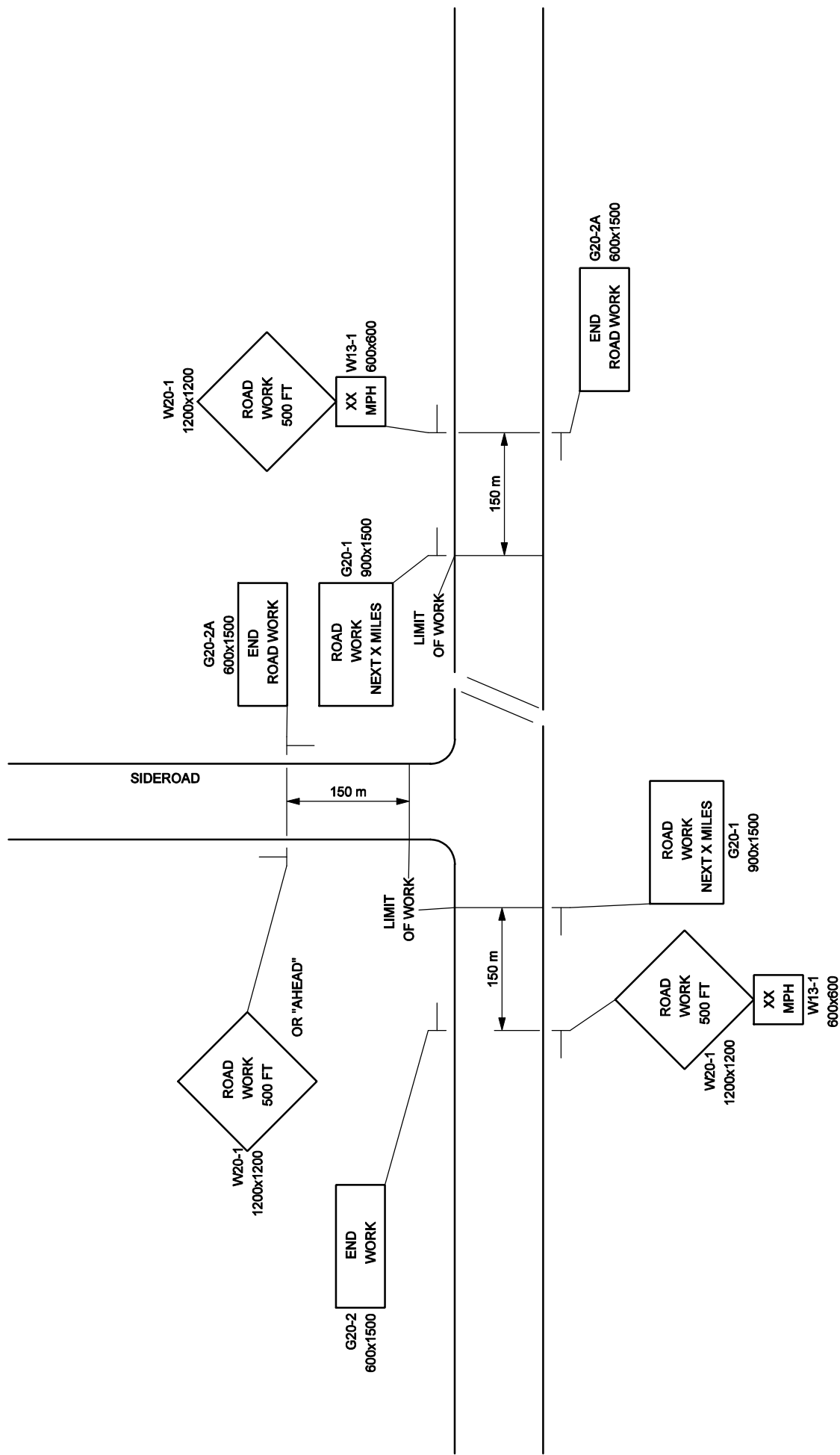
The above lists of Approach signs and Work Area signs are representative of the contract requirements. Other sign legends may be required.

The Contractor shall conduct their operations in such a manner that the roadway will not be restricted to one lane for more than 800 m [2,500 ft] at each work area. Where more than one work area restricts traffic to one lane operation, these work areas shall be separated by at least 1.6 km [1 mile] of two way operation.

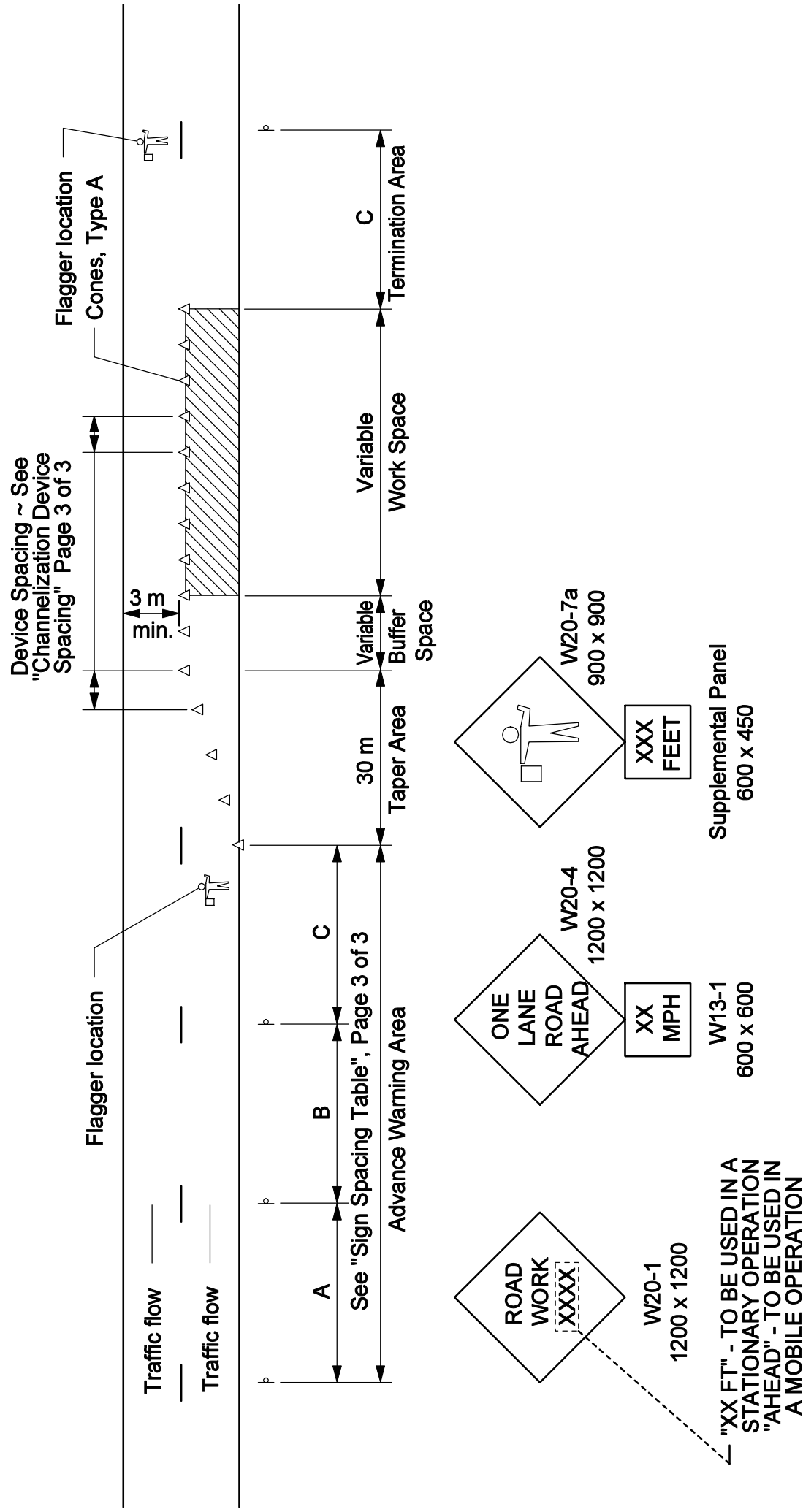
Temporary Centerline A temporary centerline shall be placed each day on all new pavement to be used by traffic. The temporary centerline, when specified of reflectorized traffic paint, shall conform to the standard marking patterns used for permanent markings.

Failure to apply a temporary centerline daily will result in suspension of paving until temporary markers are applied to all previously placed pavement.

<sup>1</sup> "Road Work Ahead" to be used in mobile operations and "Road Work xx ft" to be used in stationary operations as directed by the Resident.



# TYPICAL -- PROJECT APPROACH SIGNING -- TWO WAY TRAFFIC



TYPICAL APPLICATION: TWO - WAY, TWO LANE ROADWAY,  
CLOSING ONE LANE USING FLAGGERS

\* Formulas for L are as follows:

For speed limits of 40 mph (60 km/h) or less:

$$L = \frac{WS^2}{60} \quad (L = \frac{WS^2}{155})$$

For speed limits of 45 mph (70 km/h) or greater:

$$L = WS \quad (L = \frac{WS}{1.6})$$

\* Formulas for L are as follows:

A minimum of 5 channelization devices shall be used in the taper.

TYPE OF TAPER	TAPER LENGTH (L)*
Merging Taper	at least L
Shifting Taper	at least 0.5L
Shoulder Taper	at least 0.33L
One-Lane, Two-Way Traffic Taper	100 ft (30 m) maximum
Downstream Taper	100 ft (30 m) per lane

#### CHANNELIZATION DEVICE SPACING

The spacing of channelization devices shall not exceed a distance equal to 1.0 times the speed limit in mph when used for taper channelization, and a distance in feet of 2.0 times the speed limit in mph when used for tangent channelization.

#### GENERAL NOTES;

1. Final placement of signs and devices may be changed to fit field conditions as approved by the Resident.

SIGN SPACING TABLE			
Road Type	Distance Between Signs**		
	A	B	C
Urban 30 mph (50 km/h) or less	100 (30)	100 (30)	100 (30)
Urban 35 mph (55 km/h) and greater	350 (100)	350 (100)	350 (100)
Rural	500 (150)	500 (150)	500 (150)
Expressway / Urban Parkway	2,640 (800)	1,500 (450)	1000 (300)

\*\*Distances are shown in feet (meters).

#### SUGGESTED BUFFER ZONE LENGTHS

Speed (mph)	Length (feet)	Speed (mph)	Length (feet)
20	115	40	325
25	155	45	360
30	200	50	425
35	250	55	495

12/24/03

**SPECIAL PROVISION****SECTION 656****Temporary Soil Erosion and Water Pollution Control**

Standard Specification 656 of the Standard Specifications is deleted and replaced by this Special Provision.

The following information and requirements will constitute the Soil Erosion and Water Pollution Control Plan for this Project. The soil erosion and water pollution control measures associated with this work are as follows:

1. All work shall be done in accordance with the latest revision of the Maine Department of Transportation Best Management Practices for Erosion and Sediment Control (a.k.a. Best Management Practices manual or BMP Manual). The "Table of Contents" of the latest version is dated "1/19/00" (available at <http://www.state.me.us/mdot/mainhtml/bmp/bmpjan2000.pdf>.) **Procedures specified shall be according to the BMP Manual unless stated otherwise.**
2. The on-site person responsible for implementation of this plan, shall be the Contractor's Superintendent or other supervisory employee (the "Environmental Coordinator") with the authority to immediately remedy any deficient controls and shall provide the Resident with their numbers (telephone number, cellular phone and pager numbers, if applicable) where the Environmental Coordinator can be reached 24 hours a day.
3. All areas where soil is disturbed shall be permanently mulched on a daily basis and seeded on a weekly basis (if seeded by hand, it shall be done on a daily basis). All previously mulched areas shall be maintained and re-mulched on a daily basis if bare areas develop until an acceptable growth of grass has been obtained.
4. All disturbed ditches shall receive erosion control blanket or stone rip rap prior to leaving the site each day.
5. If the Work includes the handling or storage of petroleum products or Hazardous Materials including the on site fueling of Equipment, the Resident must be provided with a Spill Prevention Control and Countermeasure Plan (SPCCP) plan. At a minimum, the SPCCP shall include:
  - The name and emergency response numbers (telephone number, cellular phone and pager numbers, if applicable) of the Contractor's representative responsible for spill prevention;
  - General description and location of (1) handling, transfer, storage, and containment facilities of such products or Materials ("activities and facilities") and (2) potential receptors of such products or Materials including oceans, lakes, ponds, rivers, streams, wetlands, and sand and gravel aquifers ("sensitive resources") including the distances between said activities and facilities and said sensitive resources;

12/24/03

**SPECIAL PROVISION****SECTION 656**

## Temporary Soil Erosion and Water Pollution Control

- Description of preventative measures to be used to minimize the possibility of a spill including Equipment and/or Materials to be used to prevent discharges including absorbent Materials,
  - A contingency response plan to be implemented if a spill should occur including a list of emergency phone/pager numbers including the Contractor's representative, MDEP Spill Response, the Resident, and local police and fire authorities. For a related provision, see *Standard Specification, Section, 105.2.2 - Project Specific Emergency Planning*.
6. The Environmental Coordinator must inspect and maintain daily all controls for the duration of the project.
  7. Any costs related to this plan shall be considered incidental to the contract.
  8. If the Project Resident directs soil disturbance that require temporary erosion and sedimentation control, all permits shall be obtained by the DOT and a full SEWPCP will be required and paid for as Extra Work.

# **Permits & Cultural Resources Unit**

PIN #: 11323.00

Location: Fort Fairfield

Permit Member: **Laurie Rowe**

Photographs ☐

Database/Projex ☒

Package to ENV Coordinator: 12/19/03

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☒ **HISTORIC AND CULTURAL RESOURCES**

MHPC Historic Resources

N/A ☐

Applicable ☒

Approved ☒

MOA ☐

MHPC Archeological Resources

N/A ☐

Applicable ☒

Approved ☒

MOA ☐

Tribal Consultation

N/A ☒

Applicable ☐

Approved ☐

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☒ **4(f) and 6(f)**

Section 4(f)

N/A ☒

Applicable ☐

Approved ☐

LAWCON 6(f)

N/A ☒

Applicable ☐

Approved ☐

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☒ **FEMA**

N/A ☒

Applicable ☐

Approved ☐

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☒ **Maine Department of Environmental Protection (MDEP) Site Location of Development**

N/A ☒

Applicable ☐

Approved ☐

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☒ **Local Zoning, Title 30-A, Section 4352-6.**

Is the project something other than the highway and bridge system, such as a maintenance lot, building/parking facility? Yes

☐ No ☒. If no, the project is exempt.

If yes, continue. Does the town in which the project is located have a comprehensive plan consistent with the Growth Management Program? Yes ☐ No ☐. If no, the project is exempt.

If yes, local zoning ordinances and/or permits are needed.

Approved ☐

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☒ **Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat**

Eagle Nest

N/A ☒

Applicable ☐

Approved ☐

Piping Plover

N/A ☒

Applicable ☐

Approved ☐

Roseate Tern

N/A ☒

Applicable ☐

Approved ☐

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☒ **United States Fish and Wildlife Service (USFWS), Migratory Bird Act**

N/A ☒

Applicable ☐

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☒ **Maine Department of Conservation/ Public Lands, Submerged Land Lease**

N/A ☒

Applicable ☐

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☒ **Land Use Regulation Commission (LURC)** ☒ Not Applicable

No permit

☐

Notice

☐

Approved ☐

Permit

☐

Approved ☐

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☒ **Maine Department of Environmental Protection (MDEP), Natural Resource Protection Act**

No permit required ☐

Exempt ☐

(Must use erosion and sediment control and not block fish passage.)

**PBR** ☒

**Approved** ☒

Tier 1 ☐

Approved ☐

Tier 2 ☐

Approved ☐

Tier 3 ☐

Approved ☐

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☒ **Army Corps of Engineers (ACOE), Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.**

No permit required ☐

**Category 1-NR** ☒

**Approved** ☒

Category 2 ☐

Approved ☐

Category 3 ☐

Approved ☐

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☐ **IN-WATER TIMING RESTRICTIONS:** 105 Special Provision ☐ n/a ☒

Dates instream work is allowed: There is NO instream work on this project

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☒ **Special Provision 656, Erosion Control Plan**

\* Boxes marked in red indicate items that are attached and need to be placed in the contract by the Project Manager.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)  
PERMIT BY RULE NOTIFICATION FORM  
(For use with DEP Regulation, Chapter 305)

■ MDOT PIN: 11323.00

Name of Applicant: State of Maine Department of Transportation      Name of Contact: David Gardner  
Mailing Address: 16 Station State House      Town/City: Augusta      State: Me.      Zip Code: 04330-0016  
Daytime Telephone #: (207)-624-3105      Name of Wetland, Water Body or Stream: Aroostook River

Detailed Directions to Site: Project is on Rte 167 beginning at Route 1A and extending southerly 1.56 miles to Sam Everett Road.

Town/City: Fort Fairfield      Map #: N/A      Lot #: N/A      County: Aroostook

Description of Project: Highway overlay involving culvert, guardrail, slopw and ditch maintenance and repairs. The project will be performed in accordance with erosion control measures conforming with the latest versions of the *State of Maine Department of Transportation Standard Specifications for Highways and Bridges* and the *Department of Transportation's Best Management Practices for Erosion and Sediment Control*.

Part of a larger project?      ☐ Yes      ☒ No

(CHECK ONE) This project... ☒ does      ☐ does not ...involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Sec. (2) Soil Disturbance                | <input type="checkbox"/> Sec. (8) Shoreline stabilization                         | <input type="checkbox"/> Sec. (14) Piers, Wharves & Pilings   |
| <input type="checkbox"/> Sec. (3) Intake Pipes                    | <input type="checkbox"/> Sec. (9) Utility Crossing                                | <input type="checkbox"/> Sec. (15) Public Boat Ramps          |
| <input type="checkbox"/> Sec. (4) Replacement of Structures       | <input type="checkbox"/> Sec. (10) Stream Crossing                                | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) REPEALED                        | <input checked="" type="checkbox"/> Sec. (11) State Transport. Facilities         | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas                   | <input type="checkbox"/> Sec. (18) Maintenance Dredging       |
| <input type="checkbox"/> Sec. (7) Outfall Pipes                   | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement |   |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached all of the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- A \$50 (non-refundable) payment shall be done by internal billing.
- **Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- ☐ **Attach** photographs showing existing site conditions (unless not required under standards).

Signature of Applicant: \_\_\_\_\_

John E. Dority, Chief Engineer

Date: \_\_\_\_\_

10/08/03

Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection **at the appropriate regional office listed below.** The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111      PORTLAND DEP 312  
CANCO ROAD PORTLAND, ME 04103 (207)822-6300      BANGOR DEP 106 HOGAN ROAD BANGOR, ME  
04401 (207)941-4570      PRESQUE ISLE DEP 1235 CENTRAL DRIVE PRESQUE ISLE, ME 04769 (207)764-0477

OFFICE USE ONLY  
PBR #      FP

Ck.#

Date

Staff

Acc. Date

Staff

Def. Date

After Photos



**Chapter 305: PERMIT BY RULE Section 11**  
**State Transportation Facilities**

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- 1. Introduction.** A "permit by rule" or "PBR", when approved by the Department of Environmental Protection (DEP), is an approval for an activity that requires a permit under the Natural Resources Protection Act (NRPA). Only those activities described in this chapter may proceed under the PBR process. A PBR activity will not significantly affect the environment if carried out in accordance with this chapter, and generally has less of an impact on the environment than an activity requiring an individual permit. A PBR satisfies the Natural Resources Protection Act (NRPA) permit requirement and Water Quality Certification requirement.

If a proposed activity is not described in this chapter, or will not be conducted in accordance with the standards of this chapter, the applicant must obtain an individual permit prior to beginning the activity.

- A. Location of activity.** The location of an activity may affect whether an activity qualifies for PBR, and whether review by the Department of Inland Fisheries and Wildlife is required.

- (1) Type of resource. For some types of activities, the availability of a PBR is affected by the type of natural resource in or adjacent to which the activity is proposed. For example, an applicant proposing an activity consisting of "Movement of rocks or vegetation" may receive a PBR only if the activity will take place in a great pond, river, stream or brook. Limitations concerning the location of activities are addressed in the "Applicability" provision in each section of this chapter.
- (2) Essential habitat. Essential habitats include areas critical to the survival of threatened and endangered species such as the bald eagle, least tern, roseate tern, and piping plover. If the activity is located in essential habitat, such as near an eagle nesting site, a PBR is only available if the applicant obtains written approval from the Department of Inland Fisheries and Wildlife (IF&W). This approval from IF&W must be submitted to the DEP with the PBR notification form, and the applicant must follow any conditions stated in the IF&W approval.

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NOTE: Maps showing areas of essential habitat are available from the Department of Inland Fisheries and Wildlife regional headquarters, municipal offices, the Land Use Regulation Commission (for unorganized territories) and DEP regional offices. If the activity is located in essential habitat, IF&W must be contacted to request and obtain a "certification of review and approval".

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- B. Notification.** The applicant must file notice of the activity with the DEP prior to beginning work on the activity. The notification must be on a form provided by the DEP and must include any submissions required in this chapter. The applicant must keep a copy to serve as the permit.

The notification form must be sent to the DEP by certified mail (return receipt requested), or hand delivered to the DEP and date stamped by the department.

**C. Effective period**

- (1) Beginning of period. The PBR becomes effective 14 calendar days after the DEP receives the notification form, unless the DEP approves or denies the PBR prior to that date. If the DEP does not speak with or write to the applicant within this 14 day period regarding the PBR notification, the applicant may proceed to carry out the activity.

There are three exceptions regarding the effective date of an approved PBR:

- (a) Activities listed in Section 10 (Stream crossings) occurring in association with forest management are exempt from the 14 day waiting period.
- (b) Activities listed in Section 2 (Soil disturbance) and Section 10 (Stream crossings) performed or supervised by individuals currently certified in erosion control practices by the DEP are exempt from the 14 day waiting period. To be certified in erosion control practices, an individual must successfully complete all course requirements of the Voluntary Contractor Certification Program administered by the DEP's Nonpoint Source Training and Resource Center.
- (c) Activities that are part of a larger project requiring a permit under the Site Location of Development or the Storm Water Management Acts may not proceed until any required permit under those laws is obtained.

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NOTE: Activities that are part of a larger project may require other permits from the DEP also. These other laws may prohibit the start of construction of any part of the project unless a permit under that law is obtained. In these cases, while not a violation of this rule, starting work on a PBR approved activity would be a violation of those other applicable laws.

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- (2) End of period. The PBR is generally effective for 2 years from the date of approval, except that a PBR for "Replacement of structures" under Section 4 is effective for 3 years.

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NOTE: Activities that qualify under this chapter may need to meet other local, state and federal requirements. Examples -- (1) If an activity extends below the low water line of a lake, coastal wetland or international boundary water, the applicant should contact the Bureau of Parks and Lands (287-3061) concerning possible lease or easement requirements, or (2) If an activity will involve work below the mean high water line in navigable waters of the United States, the applicant should contact the Army Corps of Engineers (623-8367).

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**D. Discretionary authority.** Notwithstanding compliance with the PBR applicability requirements and standards set forth in this chapter, the DEP may require an individual permit application to be filed in any case where credible evidence indicates that the activity:

- (1) May violate the standards of the NRPA (38 M.R.S.A. Section 480-D);
- (2) Could lead to significant environmental impacts, including cumulative impacts; or
- (3) Could adversely impact a resource of special concern.

If an individual permit is required pursuant to this subsection, the DEP shall notify the applicant in writing within the 14 calendar day waiting period described in sub-section (C) above. When the DEP notifies an applicant that an individual permit is required, no work may be conducted unless and until the individual permit is obtained.

**E. Violations.** A violation of law occurs when a person, or his or her agent, performs or causes to be performed any activity subject to the NRPA without first obtaining a permit from the DEP, or acts contrary to the provisions of a permit. The person, his or her agent, or both, may be held

responsible for the violation. Commonly, the "person" is the landowner, and the "agent" is the contractor carrying out the activity. A violation occurs when:

- (1) An activity occurs that is not allowed under PBR, whether or not a PBR notification form has been filed with and/or approved by the DEP;
- (2) An activity occurs that is allowed under PBR, but a PBR for the activity has not become effective prior to the beginning of the activity; or
- (3) An activity occurs that is allowed under PBR and a PBR for the activity is in effect, but the standards specified in this chapter are not met.

See the "applicability" provision under each activity for rules concerning what activities are allowed under PBR. A PBR is only valid for the person listed on the notification form, or for his or her agent.

Each day that a violation occurs or continues is considered a separate offense. Violations are subject to criminal penalties and civil penalties of not less than \$100 nor more than \$10,000 for each day of that violation (38 M.R.S.A. Section 349).

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NOTE: A local Code Enforcement Officer (CEO) may take enforcement action for a violation of the Natural Resources Protection Act if he or she is authorized to represent a municipality in District Court, and he or she has been certified as familiar with court procedures, 30-A M.R.S.A. Section 4452(7).

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**Chapter 305 Section 11****State transportation facilities****A. Applicability**

- (1) This section applies to the maintenance, repair, reconstruction, rehabilitation, replacement or minor construction of a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation or the Maine Turnpike Authority, including any testing or preconstruction engineering, and associated technical support services.
- (2) This section does not apply to an activity within a coastal sand dune system.

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NOTE: The construction of a transportation facility other than roads and associated facilities may be subject to the Storm Water Management Law, 38 M.R.S.A. Section 420-D.

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**B. Standards**

- (1) Photographs of the area to be altered by the activity must be taken before work on the site begins. The photographs must be kept on file and be made available at the request of the DEP.
- (2) The activity must be reviewed by the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority, and the DEP's Division of Environmental Assessment prior to the notification being filed with the DEP. The activity must be performed according to any recommendations from these authorities.
- (3) The activity must be performed in accordance with erosion control measures conforming with the State of Maine Department of Transportation Standard Specifications for Highways and Bridges Revision of April 1995 and with the Department of Transportation's Best Management Practices for Erosion and Sediment Control, September 1997.

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NOTE: Guidance on the use of erosion control best management practices can be obtained from the on site Construction Manager.

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- (4) Alignment changes may not exceed a distance of 200 feet between the old and new center lines in any natural resource.
- (5) The activity may not alter more than 300 feet of shoreline (both shores added together) within a mile stretch of any river, stream or brook, including any bridge width or length of culvert.
- (6) The activity may not alter more than 150 feet of shoreline (both shores added together) within a mile stretch of any outstanding river segment identified in 38 M.R.S.A. 480-P, including any bridge width or length of culvert.
- (7) The activity must minimize wetland intrusion. The activity is exempt from the provisions of Chapter 310, the Wetland Protection Rules, if the activity alters less than 15,000 square feet of natural resources per mile of roadway (centerline measurement) provided that the following impacts are not exceeded within the 15,000 square foot area:

- (a) 1,000 square feet of coastal wetland consisting of salt tolerant vegetation or shellfish habitat; or
- (b) 5,000 square feet of coastal wetland not containing salt tolerant vegetation or shellfish habitat; or
- (c) 1,000 square feet of a great pond.

All other activities must be performed in compliance with all sections of Chapter 310, the Wetland Protection Rules, except 310.2(C), 5(A), 9(1), 9(B) and 9(C).

- (8) The activity may not permanently block any fish passage in any watercourse containing fish. The applicant must improve passage beyond what restriction may already exist unless the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority and the DEP's Division of Environmental Assessment concur that the improvement is not necessary.
- (9) Rocks may not be removed from below the normal high water line of any coastal wetland, freshwater wetland, great pond, river, stream or brook except to the minimum extent necessary for completion of work within the limits of construction.
- (10) If work is performed in a river, stream or brook that is less than three feet deep at the time and location of the activity, with the exception of culvert installation, the applicant must divert flow away from the activity while work is in progress.
  - (a) Diversion may be accomplished by the use of stable, inert material. No more than two thirds (2/3) of stream width may be diverted at one time.
  - (b) Any material used to divert water flow must be completely removed upon completion of the activity, and the stream bottom must be restored to its original condition.
  - (c) A pump may be operated, where necessary, for a temporary diversion. The pump outlet must be located and operated such that erosion or the discharge of sediment to the water is prevented.

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NOTE: Guidance on the appropriate location of a diversion and materials which should be used for a stream diversion can be obtained from the on site Construction Manager.

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- (11) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.
- (12) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms.
- (13) Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Hay bales or silt fence must be used, where necessary, to prevent sedimentation. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 et seq.

- (14) Work below the normal high water line of a great pond, river, stream or brook must be done at low water except for emergency work or work agreed to by the resource agencies listed in paragraph 2 above. Measures, such as a silt boom or staked fencing, must be employed to reduce and isolate turbidity.
- (15) Perimeter controls must be installed before the work starts. Disturbance of natural resources beyond the construction limits shown on the plans is not allowed under this rule.

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NOTE: Guidance on the location of construction limits can be obtained from the on site Construction Manager.

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- (16) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used, provided it is cured on dry land in a manner that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.
- (17) A temporary road for equipment access must be constructed of crushed stone, blasted ledge, or similar materials that will not cause sedimentation or restrict fish passage. Such roads must be completely removed at the completion of the activity. In addition, any such temporary roads which are in rivers, streams or brooks, must allow for a passage of stormwater flows associated with a 10-year storm.
- (18) Soil may not be disturbed during any period when soils are saturated due to rain or snow melt, except as necessary to protect work in progress or as required for bridge maintenance activities. Areas where soils are saturated (i.e. water drips from the soil when squeezed by hand, or the soil is capable of being rolled into a rod 1/8th inch in diameter that does not crumble) must be immediately mulched if they are disturbed.
- (19) Disturbed soil must be protected within one week from the time it was last actively worked, and prior to any storm event, using temporary or permanent measures such as the placement of riprap, sod, mulch, erosion control blankets, or other comparable measures.
- (20) Hay bale or straw mulch, where used, must be applied at a rate of at least one bale per 500 square feet (1 to 2 tons per acre).
- (21) If mulch is likely to be moved because of steep slopes or wind exposure, it must be anchored with netting, peg and twine, binder or other suitable method and must be maintained until a catch of vegetation is established over the entire disturbed area.
- (22) In addition to the placement of riprap, sod, erosion control blankets or mulch, additional steps must be taken where necessary to prevent sedimentation of the water. Evidence of sedimentation includes visible sheet, rill or gully erosion, discoloration of water by suspended particles and/or slumping of banks. Silt fences, staked hay bales and other sedimentation control measures, where planned for, must be in place prior to the commencement of an activity, but must also be installed whenever necessary to prevent erosion and sedimentation.

---

NOTE: Guidance on the location and proper installation of erosion control measures can be obtained from the on site Construction Manager.

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- (23) Temporary erosion control measures must be maintained and inspected weekly until the site is permanently stabilized with vegetation or other permanent control measures. Erosion control measures must also be inspected immediately prior to and following storms.
- (24) Permanent erosion control measures protecting all disturbed areas must be implemented within 30 days from the time the areas were last actively worked, or for fall and winter activities by the following June 15, except where precluded by the type of activity (e.g. riprap, road surfaces, etc.). The permanent erosion control measures must be maintained.
- (25) The applicant shall immediately take appropriate measures to prevent erosion or sedimentation from occurring or to correct any existing problems, regardless of the time of year.
- (26) Non-native species may not be planted in restored areas.
- (27) Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Sections 1301 et seq.
- (28) Disturbance of vegetation must be avoided, if possible. Where vegetation is disturbed outside of the area covered by any road or structure construction, it must be reestablished immediately upon completion of the activity and must be maintained.
- (29) A vegetated area at least 25 feet wide must be established and maintained between any new stormwater outfall structure and the high water line of any open water body. A velocity reducing structure must be constructed at the outlet of the stormwater outfall that will create sheet flow of stormwater, and prevent erosion of soil within the vegetated buffer. If the 25 foot vegetated buffer is not practicable, the applicant must explain the reason for a lesser setback in writing. Approval from the DEP must be in writing and any recommendations must be incorporated into the activity.

**C. Definitions.** The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) Diversion. A rerouting of a river, stream or brook to a location outside of its established channel.
- (2) Fill. a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or immediately adjacent to a wetland or water body.
- (3) Floodplain wetlands. Freshwater wetlands that are inundated with flood water during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Agency or other site specific information.
- (4) Riprap. Rocks that are fit into place, usually without mortar, on a slope as defined in the State of Maine, Department of Transportation, Standard Specifications for Highway and Bridges, revision of April 1995.

Permit No: GP-39

Effective Date: Sept. 29, 2000  
Expiration Date: Sept. 29, 2005

Applicant: General Public, State of Maine

**DEPARTMENT OF THE ARMY  
PROGRAMMATIC GENERAL PERMIT  
STATE OF MAINE**

The New England District of the U.S. Army Corps of Engineers hereby issues a programmatic general permit (PGP) that expedites review of minimal impact work in coastal and inland waters and wetlands within the State of Maine. Activities with minimal impacts, as specified by the terms and conditions of this general permit and on the attached DEFINITION OF CATEGORIES sheets, are either non-reporting (provided required local and state permits are received), or are reporting, to be screened by the Corps and Federal Resource Agencies for applicability under the general permit. This general permit does not affect the Corps individual permit review process or activities exempt from Corps jurisdiction.

**Activities Covered:** work and structures that are located in, or that affect, navigable waters of the United States (regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899) and the discharge of dredged or fill material into waters of the United States (regulated by the Corps under Section 404 of the Clean Water Act), and the transportation of dredged material for the purpose of disposal in the ocean (regulated by the Corps under Section 103 of the Marine Protection, Research and Sanctuaries Act).

**PROCEDURES:**

**A. State Approvals**

For projects authorized pursuant to this general permit that are also regulated by the State of Maine, the following state approvals are also required and must be obtained in order for this general permit authorization to be valid (applicants are responsible for ensuring that all required state permits and approval have been obtained):

- (a) Maine Department of Environmental Protection (DEP): Natural Resources Protection Act permit, including permit-by-rule and general permit authorizations; Site Location and Development Act permit; and Maine Waterway Development and Conservation Act.
- (b) Maine Department of Conservation: Land Use Regulation Commission (LURC) permit.
- (c) Maine Department of Marine Resources: Lease.
- (d) Bureau of Public Lands, Submerged Lands: Lease.

Note that projects not regulated by the State of Maine (e.g., seasonal floats or moorings) may still be authorized by this general permit.



## **B. Corps Authorizations: Category I (Non-Reporting)**

Work in Maine subject to Corps jurisdiction that meets the definition of Category I on the attached DEFINITION OF CATEGORIES sheets and that meets all of this permit's other conditions, does not require separate application to the Corps of Engineers. If the State or the Corps does not contact the applicant for PBRs and Tier One permits during the State's Tier One 30-day review period, Corps approval may be assumed and the project may proceed. Refer to the Procedures Section at Paragraph E below for additional information regarding screening.

**Note that the review thresholds under Category I apply to single and complete projects only** (see special condition 5). **Also note that Category I does not apply to projects occurring in a component of, or within 0.25 miles up and downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System** (see condition 11, and page 9 for the listed rivers in Maine).

There are also restrictions on other national lands or concerns, which must be met in order for projects to be eligible for authorization under this PGP. Refer to special conditions 6-13 under Paragraph F below.

Work that is not regulated by the State of Maine, but that is subject to Corps jurisdiction, is eligible for Corps authorization under this PGP in accordance with the review thresholds and conditions contained herein.

Although Category I projects are non-reporting, the Corps reserves the right to require screening or an individual permit review if there are concerns for the aquatic environment or any other factor of the public interest (see special condition 4 on Discretionary Authority). The Corps review or State/Federal screening process may also result in project modification, mitigation or other special conditions necessary to minimize impacts and protect the aquatic environment as a requirement for PGP approval.

## **C. Corps Authorization: Category II (Reporting - requiring screening)** **APPLICATION PROCEDURES**

For projects that do not meet the terms of Category I (see DEFINITION OF CATEGORIES sheets), the Corps, State, and Federal Resource Agencies will conduct joint screening meetings to review applications. If projects are concurrently regulated by the DEP or LURC, applicants do not need to submit separate applications to the Corps. For projects not regulated by DEP or LURC, applicants must submit an application to the Corps Maine Project Office for a case-by-case determination of eligibility under this general permit (Category II). **Category II projects may not proceed until written notification is received from the Corps.**

Category II projects which occur in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, will be coordinated with the National Park Service (see special condition 11, and page 9 for listed rivers in Maine).

There are also restrictions on other national lands or concerns, which must be met in order for projects to be eligible for authorization under this PGP. Refer to special conditions 6-14 under Paragraph E below.

Category II applicants shall submit a copy of their application materials to the Maine Historic Preservation Commission and/or applicable Indian tribe(s) at the same time, or before, they apply to the DEP, LURC, or the Corps so that the project can be reviewed for the presence of historic/archaeological resources in the project area that may be affected by the proposed work. **Applications to the DEP or the Corps should include information to indicate that this has been done (applicant's statement or copy of cover letter to Maine Historic Preservation Commission and/or Indian tribe(s)).**

**The Corps may require additional information on a case-by-case basis as follows:**

- (a) purpose of project;
- (b) 8 1/2" by 11" plan views of the entire property including property lines and project limits with existing and proposed conditions (**legible, reproducible plans required**);
- (c) wetland delineation for the site, information on the basis of the delineation, and calculations of waterway and wetland impact areas (see special condition 2);
- (d) typical cross-section views of all wetland and waterway fill areas and wetland replication areas;
- (e) delineation of submerged aquatic vegetation, e.g., eel grass beds, in tidal waters;
- (f) area, type and source of fill material to be discharged into waters and wetlands, including the volume of fill below ordinary high water in inland waters and below the high tide line in coastal waters;
- (g) mean low, mean high water and high tide elevations in navigable waters;
- (h) limits of any Federal navigation project in the vicinity and State Plane coordinates for the limits of the proposed work closest to the Federal project;
- (i) on-site alternatives analysis (contact Corps for guidance);
- (j) identify and describe potential impacts to Essential Fish Habitat (contact Corps for guidance);
- (k) for dredging projects, include:
  - 1) the volume of material and area in square feet to be dredged below mean high water,
  - 2) existing and proposed water depths,
  - 3) type of dredging equipment to be used,
  - 4) nature of material (e.g., silty sand),

- 5) any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects,
- 6) information on the location and nature of municipal or industrial discharges and occurrences of any contaminant spills in or near the project area,
- 7) location of the disposal site (include locus sheet),
- 8) shellfish survey, and
- 9) sediment testing, including physical, chemical and biological testing. For projects proposing open water disposal, applicants are encouraged to contact the Corps as early as possible regarding sampling and testing protocols.

The Corps may request additional information. Dredging applicants may be required to conduct a shellfish and/or eel grass survey and sediment testing, including physical, chemical and biological testing. Sediment sampling and testing plans should be prepared or approved by the Corps before the samples are collected.

#### **STATE-FEDERAL SCREENING PROCEDURES:**

The Corps intends to utilize the application information required by the State for its regulatory program to the maximum extent practicable and the Corps normally will not be interacting with an applicant who is concurrently making application to the DEP or LURC. Projects not regulated by the State, but needing Corps of Engineers approval, **must apply directly to the Corps**. The joint screening meeting for Category II projects will occur regularly at the Corps or State of fices and will involve representatives from the DEP, the Corps, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

The Corps and Federal Resource Agencies will classify the project within the State's review period, not to exceed 60 days, as: 1) approvable under the PGP as proposed; 2) needs additional information, including possible project modification, mitigation or other special conditions to minimize impacts; or 3) exceeds the terms or conditions of the PGP, including the minimal effects requirement, and an individual permit review will be required. In addition, the Corps retains the ability to exercise its discretionary authority and require an individual permit, irrespective of whether the terms and conditions of this general permit are met, based on concerns for the aquatic environment or any factor of the public interest (see special condition 4 on Discretionary Authority). All Category II projects must receive written approval from the Corps before work can proceed. If the project is not approvable as proposed, the DEP, LURC, or the Corps will contact the applicant to discuss the concerns raised. If the applicant is unable to resolve the concerns, the Corps, independently or at the request of the Federal Resource Agencies, will require an individual permit for the project. The applicant will be notified of this in writing, along with information about submitting the necessary application materials. The comments from the Federal Resource Agencies to the Corps may be verbal initially, and must be made within 10 working days of the screening meeting. These comments must be confirmed in writing within 10 calendar days of the verbal response if the Resource Agency(ies) will request an individual permit. The Federal Resource Agency's comments must reflect a concern within their area of expertise, state the species or resources that could be impacted by the project, and describe the impacts that either individually or cumulatively will be more than minimal.

## MINERALS MANAGEMENT SERVICE (MMS) REVIEW

For Category II projects which involve construction of solid fill structures or discharge of fills along the coast which may extend the coastline or baseline from which the territorial sea is measured, coordination between the Corps and Minerals Management Service (MMS), Continental Shelf (OCS) Survey Group, will be needed (pursuant to the Submerged Lands Act, 43 U.S.C., Section 1301-1315, 33 CFR 320.4(f)). During the screening period, the Corps will forward project information to MMS for their review. MMS will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have 15 calendar days from the date MMS is in receipt of project information to determine if the baseline will be affected. No notification to the Corps within 15 day review period will constitute a "no affect" determination. Otherwise, the solicitor's notification to the Corps may be verbal but must be followed with a written confirmation within 10 business days from the date of the verbal notification. This procedure will be eliminated if the State of Maine provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structure or fills authorized under this general permit.

### **D. Corps Authorization: Category III (Individual Permit)**

Work that is in the INDIVIDUAL PERMIT category on the attached DEFINITION OF CATEGORIES sheets, or that does not meet the terms and conditions of this general permit, will require an application for an individual permit from the Corps of Engineers (see 33 CFR Part 325.1). The screening procedures outlined above will only serve to delay project review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained at (207) 623-8367 (Maine Field Office), (800) 343-4789, or (800) 362-4367 in Massachusetts. Individual water quality certification and coastal zone management consistency concurrence will be required from the State of Maine before Corps permit issuance.

### **E. Programmatic General Permit Conditions:**

The following conditions apply to activities authorized under the PGP, including all Category I (non-reporting) and Category II (reporting - requiring screening) activities:

#### GENERAL REQUIREMENTS:

1. **Other Permits.** Authorization under this general permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
2. **Applicability of this general permit shall be evaluated with reference to Federal jurisdictional boundaries.** Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at 33 CFR 328-329.
3. **Minimal Effects.** Projects authorized by this general permit shall have minimal individual and cumulative adverse environmental impacts as determined by the Corps.

4. **Discretionary Authority.** Notwithstanding compliance with the terms and conditions of this permit, the Corps of Engineers retains discretionary authority to require review for an individual permit based on concerns for the aquatic environment or for any other factor of the public interest. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant individual review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the PGP and that warrants greater review.

Whenever the Corps notifies an applicant that an individual permit may be required, authorization under this general permit is void and no work may be conducted until the individual Corps permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this general permit.

5. **Single and Complete Projects.** This general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project and/or all planned phases of multi-phased projects shall be treated together as constituting one single and complete project (e.g., subdivisions should include all work such as roads, utilities, and lot development). This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required.

#### NATIONAL CONCERNS:

6. **St. John/St. Croix Rivers.** This covers work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. This includes any temporary or permanent use, obstruction or diversion of international boundary waters which could affect the natural flow or levels of waters on the Canadian side of the line, as well as any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters when the activity could raise the natural level of water on the Canadian side of the boundary.
7. **Historic Properties.** Any activity authorized by this general permit shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Maine Historic Preservation Commission and the National Register of Historic Places. Federally recognized tribes (Penobscots, Passamaquoddys, Micmacs, and Maliseets) may know of the existence of other sites that may be of significance to their tribes. See page 14 for historic properties contacts.

Applicants with projects which will undergo the screening process (Category II) shall submit a copy of their application materials, with the name and address of the applicant clearly indicated, to the Maine Historic Preservation Commission, 55 Capitol Street, State House Station 65, Augusta, Maine 04333, and to the applicable tribe(s) to be reviewed for the presence of historic and/or archaeological resources in the permit area that may be affected by the proposed work. The Corps will then be notified by the Commission and/or

Tribe within 10 days if there are State and/or tribal concerns that the proposed work will have an effect on historic resources. The applicant should include with their application to the State or the Corps either a copy of their cover letter or a statement of having sent their application material to the Commission and Tribe(s).

If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource, within the area subject to Department of the Army jurisdiction, that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the District Engineer and the Maine Historic Preservation Commission and/or applicable Tribe(s).

8. **National Lands.** Activities authorized by this general permit shall not impinge upon the value of any National Wildlife Refuge, National Forest, or any area administered by the National Park Service.

9. **Endangered Species.** No activity is authorized under this general permit which

- may affect a threatened or endangered species or a species proposed for such designation as identified under the Federal Endangered Species Act (ESA),
- is likely to destroy or adversely modify the critical habitat or proposed critical habitat of such species,
- would result in a 'take' of any threatened or endangered species of fish or wildlife, or
- would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

Applicants shall notify the Corps if any listed species or critical habitat, or proposed species or critical habitat, is in the vicinity of the project and shall not begin work until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service (addresses attached, page 14).

10. **Essential Fish Habitat.** As part of the PGP screening process, the Corps will coordinate with the National Marine Fisheries Service (NMFS) in accordance with the 1996 amendments to the Magnuson-Stevens Fishery and Conservation Management Act to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed "essential fish habitat (EFH)", and is broadly defined to include "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." Applicants may be required to describe and identify potential impacts to EFH based upon the location of the project, the activity proposed, and the species present. Conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. Information on the location of EFH can be obtained from the NMFS regulations (50 CFR Part 600) (address listed on page 14) and on their web site (<http://www.nero.nmfs.gov/ro/doc/webintro.html>).

The EFH designation for Atlantic salmon includes all aquatic habitats in the watershed of the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration:

St. Croix River	Pleasant River	Union River
Boyden River	Narraguagus River	Ducktrap River
Dennys River	Tunk Stream	Sheepscot River
Hobart Stream	Patten Stream	Kennebec River
Aroostook River	Orland River	Androscoggin River
East Machias River	Penobscot River	Presumpscot River
Machias River	Passagassawaukeag River	Saco River

11. **Wild and Scenic Rivers.** Any activity that occurs in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, **must be reviewed by the Corps under the procedures of Category II of this general permit regardless of size of impact.** This condition applies to both designated wild and scenic rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed work on the resource values of the Wild and Scenic River. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river and an individual permit is required. If pre-application consultation between the applicant and the NPS has occurred whereby the NPS has made a determination that the proposed project is appropriate for authorization under this PGP (with respect to wild and scenic river issues), this determination should be furnished to the Corps with submission of the application. The address of the NPS can be found on Page 14 of this permit. *National Wild/Scenic Rivers System (Designated River in Maine) as of 5/2/00:* Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River. Length = 92 miles

12. **Federal Navigation Project.** Any structure or work that extends closer to the horizontal limits of any Corps navigation project than a distance of three times the project's authorized depth (see attached map following page 16 for locations of these projects) shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

13. **Navigation.** There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure

or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

14. **Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

#### MINIMIZATION OF ENVIRONMENTAL IMPACTS:

15. **Minimization.** Discharges of dredged or fill material into waters of the United States shall be avoided and minimized to the maximum extent practicable, regardless of review category.
16. **Work in Wetlands.** Heavy equipment working in wetlands shall be avoided if possible, **and if required, shall be placed on mats or other measures taken** to minimize soil and vegetation disturbance. Disturbed areas in wetlands shall be restored to preconstruction contours and conditions upon completion of the work.
17. **Temporary Fill.** Temporary fill in waters and wetlands authorized by this general permit (e.g., access roads, cofferdams) shall be properly stabilized during use to prevent erosion. Temporary fill in wetlands shall be placed on geotextile fabric laid on existing wetland grade. Temporary fills shall be disposed of at an upland site, suitably contained to prevent erosion and transport to a waterway or wetland. Temporary fill areas shall be restored to their approximate original contours but not higher. No temporary fill shall be placed in waters or wetlands unless specifically authorized by the Corps.
18. **Sedimentation and Erosion Control.** Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences or other devices, shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment. These devices shall be removed upon completion of work and the disturbed areas shall be stabilized. The sediment collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.



**19. Waterway Crossings.**

- (a) All temporary and permanent crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and to not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction.
- (b) Temporary bridges, culverts, or cofferdams shall be used for equipment access across streams (NOTE: areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this general permit).
- (c) For projects that otherwise meet the terms of Category I, instream construction work shall be conducted during the low flow period July 15 - October 1 in any year. Projects that are not to be conducted during that time period are ineligible for Category I and shall be screened pursuant to Category II, regardless of the waterway and wetland fill and/or impact area.

**20. Discharge of Pollutants.** All activities involving any discharge of pollutants into waters of the United States authorized under this general permit shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the Clean Water Act (33 U.S.C. 1251) and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this permit, the authorized work shall be modified to conform with these standards within six months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with the Regional Administrator of the Environmental Protection Agency. Applicants may presume that state water quality standards are met with issuance of the 401 Water Quality Certification.

**21. Spawning Areas.** Discharges into known 1) fish and shellfish spawning or nursery areas; and 2) amphibian and waterfowl breeding areas, during spawning or breeding seasons shall be avoided, and impacts to these areas shall be avoided or minimized to the maximum extent practicable during all times of year.

**22. Storage of Seasonal Structures.** Coastal structures such as pier sections and floats that are removed from the waterway for a portion of the year shall be stored in an upland location located above mean high water and not in tidal marsh.

**23. Environmental Values.** The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and to minimize any adverse impacts on, existing fish and wildlife and natural environmental values.

**24. Protection of Vernal Pools.** Impacts to uplands in proximity (within 500 feet) to the vernal pools referenced in DEFINITIONS OF CATEGORIES shall be minimized to the maximum extent possible.

PROCEDURAL CONDITIONS:

25. **Cranberry Development Projects.** For Cranberry development projects authorized under the PGP, the following conditions apply:

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1. If a cranberry bog is abandoned for any reason, the area must be allowed to convert to natural wetlands unless an individual permit is obtained from the Corps of Engineers allowing the discharge of fill for an alternate use.
2. No stream diversion shall be allowed under this permit.
3. No impoundment of perennial streams shall be allowed under this permit.
4. The project shall be designed and constructed to not cause flood damage on adjacent properties.

26. **Inspections.** The permittee shall permit the District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The District Engineer may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work. **To facilitate these inspections, the attached work notification form should be filled out and returned to the Corps for all Category II projects.**

27. **Maintenance.** The permittee shall maintain the work or structures authorized herein in good condition, including maintenance, to ensure public safety. Dredging projects: note that this does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds described on the attached DEFINITION OF CATEGORIES sheets and/or any conditions included in a written Corps authorization.

28. **Property Rights.** This permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations. **If property associated with work authorized by the PGP is sold, the PGP authorization is automatically transferred to the new property owner. The new property owner should provide this information to the Corps in writing. No acknowledgement from the Corps is necessary.**

29. **Modification, Suspension, and Revocation.** This permit may be either modified, suspended, or revoked, in whole or in part, pursuant to the policies and procedures of 33 CFR 325.7 and any such action shall not be the basis for any claim for damages against the United States.

30. **Restoration.** The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former condition without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

31. **Special Conditions.** The Corps, independently or at the request of the Federal Resource Agencies, may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.
32. **False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid and the government may institute appropriate legal proceedings.
33. **Abandonment.** If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she must restore the area to the satisfaction of the District Engineer.
34. **Enforcement cases.** This general permit does not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps of Engineers or Environmental Protection Agency enforcement action until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action. The Corps may choose not to accept applications or issue permits to any applicant with outstanding violations.
35. **Emergency situations.** This PGP can be used to authorize the repair, rehabilitation, or replacement of those structures destroyed by storms, floods, fire or other discrete unexpected and catastrophic event. In such situations and if the work exceeds Category I limitations, if applicant applies to the Corps within 30 days of the event, the Corps will attempt to contact the resource agencies for their approvals but, if unable to contact them, will issue an emergency permit and review them after-the-fact with the agencies at the next joint processing meeting. Proposed work submitted more than 30 days after the emergency will go through the standard PGP procedures.

#### DURATION OF AUTHORIZATION/GRANDFATHERING:

36. **Duration of Authorization.** Activities authorized under this general permit that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will remain authorized provided the activity is completed within twelve months of the date of the general permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2 (e)(2). Activities completed under the authorization of the general permit that was in effect at the time the activity was completed will continue to be authorized by the general permit.

### 37. Previously Authorized Activities.

- (a) Activities which have commenced (i.e., are under construction or are under contract to commence) prior to the issuance date of this general permit, in reliance upon the terms and conditions of the non-reporting category of the previous Maine PGP shall remain authorized provided the activity is completed within twelve months of the date of issuance of this general permit, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with special condition 4. The applicant must be able to document to the Corps satisfaction that the project was under construction or contract by the appropriate date.
- (b) Projects that have received written verification or approval from the Corps, based on applications made to the Corps prior to issuance of this general permit, for the previous Maine SPGP and PGP, Nationwide permits, regional general permits, or letters of permission shall remain authorized as specified in each authorization.
- (c) This general permit does not affect activities authorized pursuant to 33 CFR Part 330.3 (activities occurring before certain dates).

For DISTRICT ENGINEER Christine Gedfrey DATE 7 / 26 / 00

## CONTACTS FOR MAINE PROGRAMMATIC GENERAL PERMIT:

*U.S. Army Corps of Engineers*  
Maine Project Office  
675 Western Avenue #3  
Manchester, Maine 04351  
207-623-8367  
Fax # 207-623-8206

*Federal Endangered Species*  
U.S. Fish and Wildlife Service  
Maine Field Office  
1033 South Main Street  
Old Town, Maine 04468  
207-827-5938  
Fax # 207-827-6099

*Wild and Scenic Rivers*  
National Park Service  
North Atlantic Region  
15 State Street  
Boston, MA 02109  
617-223-5203

*Maine Historic Preservation Commission*  
55 Capitol Street  
State House Station 65  
Augusta, Maine 04333  
207-287-2132  
Fax # 207-287-2335  
*Aroostook Band of Micmacs*  
P.O. Box 772  
Presque Isle, Maine 04769  
207-764-1972  
Fax # 207-764-7667

*Passamaquoddy Tribe of Indians*  
Pleasant Point Reservation  
Attn: Tribal Council  
P.O. Box 343  
Perry, Maine 04667  
207-853-2600  
Fax # 207-853-6039

*Federal Endangered Species and Essential  
Fish Habitat*  
National Marine Fisheries Service  
One Blackburn Drive  
Gloucester, Massachusetts 01939  
978-281-9102  
Fax # 978-281-9301

*Houlton Band of Maliseet Indians*  
Attn: Brenda Commander, Tribal Chief  
Route 3 - Box 450  
Houlton, Maine 04730  
207-532-4273  
Fax # 207-532-2660  
*Passamaquoddy Tribe of Indians*  
Indian Township Reservation  
Attn: Donald Soctomah  
P.O. Box 301  
Princeton, Maine 04668  
207-796-2301  
Fax # 207-796-5256

*Penobscot Indian Nation*  
Richard Hamilton, Chief  
6 River Road  
Indian Island Reservation  
Old Town, Maine 04468  
(207) 827-7776  
Fax # 207-827-1137

*Maine Department of Environmental Protection  
(For State Permits and Water Quality  
Certifications)*

Natural Resources Division  
Bureau of Land and Water Quality Control  
State House Station 17  
Augusta, Maine 04333  
207-287-2111

Southern Maine Regional Office  
312 Canco Road  
Portland, Maine 04103  
201-822-6300

Eastern Maine Regional Office  
106 Hogan Road  
Bangor, Maine 04401  
207-941-4570

Northern Maine Regional Office  
1235 Central Drive  
Skyway Park  
Presque Isle, Maine 04769  
207-764-0477

*MaineLand UseRegulation Commission (LURC)  
offices*

22 State House Station  
Augusta, ME 04333-0022  
207-287-2631  
800-452-8711 (call to obtain appropriate LURC  
of fice)  
Fax # 207-287-7439

45 Radar Road  
Ashland,ME 04732-3600  
207-435-7963  
Fax # 207-435-7184

Lakeview Drive  
P.O.Box1107  
Greenville, ME 04441  
207-695-2466  
Fax # 207-695-2380

191 Main Street  
EastMillinocket,ME 04430  
207-746-2244  
Fax # 207-746-2243

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*(For CZMDeterminations)*

State Planning Office  
Coastal Program  
184 State Street  
**State House** Station 38  
Augusta, Maine 04333  
207-287- 1009

*Maine Department of Marine Resources  
(For Aquaculture Leases)*  
McKown Point  
Boothbay Harbor, Maine 04575  
207-633-9500

*(For Submerged Lands Leases)*

Maine Department of Conservation  
Bureau of Parks and Lands  
22 State House Station  
207-287-3061

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A. INLAND WETLANDS (WATERS OF THE U.S.) <sup>1</sup>	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(a) NEW FILL/ EXCAVATION DISCHARGES	<p>Less than 4,300 sf inland waterway and /or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Includes projects covered by a State Tier One permit with no cumulative impacts over 15,000 sf in inland wetlands from previous permits, unauthorized work, and/or other state permits.</p> <p>-- Includes crossing of perennial waterways designated as Essential Fish Habitat (EFH) for Atlantic salmon<sup>2</sup> if the waterway is crossed with a span and footprints of the span abutments are outside ordinary high water with no more than 4,300 sf of associated wetland impact.</p> <p>-- Includes in-stream work of up to 4,300 sf of fill below ordinary high water in waterways not designated as EFH for Atlantic salmon<sup>2</sup> and performed in accordance with Maine Permit By Rule standards or a LURC permit.</p>	<p>4,300 sf to 3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Impact area includes all temporary and permanent fill and excavation except for incidental fallback.</p> <p>-- Includes in-stream work, including crossings (other than a spanned crossing as described in Category I) with any discharge of fill below ordinary high water in perennial waterways designated as EFH for Atlantic salmon<sup>2</sup>.</p> <p>-- Time of year restrictions determined case-by-case.</p>	<p>Greater than 3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Impact area includes all temporary and permanent fill and excavation discharges except for incidental fallback<sup>3</sup>.</p> <p>In-stream work exceeding Category II limits.</p> <p>If EIS required by the Corps.</p>

<sup>1</sup> Water of the U.S. in inland areas: inland rivers, streams, lakes, ponds and wetlands.

<sup>2</sup> Essential Fish Habitat for Atlantic salmon includes all aquatic habitats in the watersheds of the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration: St. Croix, Boyden, Dennys, Hobart Stream, Aroostook, East Machias, Machias, Pleasant, Narraguagus, Tunk stream, Patten Stream, Orland, Penobscot, Passagassawaukeag, Union, Ducktrap, Sheepscot, Kennebec, Androscoggin, Presumpscot and Saco River.

<sup>3</sup> The larger the impacts, the more likely an individual permit will be required. Projects involving widening, expansion or impacts to degraded or low value wetlands between 1-3 acres may be approved under Category II, subject to the Federal screening. The Corps recognizes and endorses the DEP Tier 2 upper thresholds of 1 acre. Compensatory mitigation is likely to be required at this level of impact.

	<b>CATEGORY I</b>	<b>CATEGORY II</b>	<b>INDIVIDUAL PERMIT</b>
<b>(a) NEW FILL/ EXCAVATION DISCHARGES</b>	<p>-- Impact area includes all temporary and permanent fill and excavation discharges except for incidental fallback.</p> <p>-- In-stream work limited to July 15 - Oct. 1.</p> <p>-- This category excludes situations when a vernal pool of any size may be impacted, in accordance with the ME DEP definition of vernal pool<sup>4</sup></p> <p>-- This category excludes work within ¼ mile or a Wild and Scenic River<sup>5</sup></p> <p>-- This category excludes dams, dikes, or activities involving water withdrawal or water diversion.</p> <p>-- This category excludes work in National Wildlife Refuges.</p>	Proactive restoration projects with any amount of impact can be reviewed under Category II. The Corps, in consultation with State and Federal agencies, must determine that net adverse effects are not more than minimal.	
<b>(b) BANK STABILIZATION PROJECTS</b>	<p>Inland bank stabilization less than 500 ft. long and less than 1 cy fill per linear foot below ordinary high water in ponds, lakes, and waterway not designated as EFH for Atlantic salmon<sup>2</sup>, provided there is no wetland fill.</p> <p>-- In-stream work limited to July 15 - Oct. 1.</p>	<p>Inland bank stabilization in ponds, lakes, and waterways not designated as EFH for Atlantic salmon<sup>2</sup> which exceeds Category I limits.</p> <p>Inland bank stabilization of any size below ordinary high water in waterways designed as EFH for Atlantic salmon<sup>2</sup>.</p> <p>-- Other stabilization exceeding Category I.</p>	
<b>(C) REPAIR AND MAINTENANCE OF AUTHORIZED FILLS</b>	Repair or maintenance of existing, currently serviceable, authorized fills with no substantial expansion or change in use.	Replacement of non-serviceable fills, or repair or maintenance of serviceable fills with expansion of any amount up to 1 acre, or with a change in use.	Replacement of non-serviceable fills, or repair or maintenance of serviceable fills with greater than 1 acre of expansion.

<sup>4</sup> Vernal Pool: Naturally-occurring, or intentionally created for the purposes of compensatory mitigation, temporary to permanent bodies of water occurring in shallow depressions that fill during the spring and fall and may dry during the summer. Vernal pools have no permanent or viable populations of predatory fish. Vernal pools provide the primary breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders, and fairy shrimp, and provide habitat for other wildlife including several endangered and threatened species.

<sup>5</sup> National Wild/Scenic Rivers System (Designated River in Maine): Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River. Length = 92 miles.



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B. TIDAL WATERS AND NAVIGABLE WATERS <sup>6</sup>	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(a) FILL		Up to 1 acre waterway or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared). Includes temporary and permanent waterway fill. -- Temporary tidal marsh impacts up to 1 acre. -- Permanent tidal marsh, mudflat, or vegetated shallows 7 fill up to 1,000 sf. -- Proactive restoration projects with any amount of impact can be reviewed under Cat. II. The Corps, in consultation with State and Federal agencies, must determine that net adverse effects are not more than minimal.	Greater than 1 acre waterway fill and secondary impacts (e.g., areas drained, flooded or cleared). Includes -- Temporary tidal marsh impacts over 1 acre. -- Permanent tidal marsh, mudflat, or vegetated shallows 7 fill over 1,000 sf.
(b) REPAIR AND MAINTENANCE WORK	Repair or maintenance of existing, currently serviceable, authorized structure or fills with no substantial expansion or change in use. -- Work must be in same footprint as original structure or fill	Repair or replacement of any non-serviceable structures or fill, or repair or maintenance of serviceable fills with expansion of any amount up to 1 acre, or with a change in use.	Replacement of non-serviceable structures or fill or repair or maintenance of serviceable structure or fill with expansion greater than 1 acre.

6 Navigable Waters: waters that are subject to the ebb and flow of the tide and Federally designated navigable waters (Penobscott River to Medway, Kennebec River to Moosehead Lake, and the portion of Umbagog Lake in Maine).

7 Vegetated Shallows: subtidal areas that support rooted aquatic vegetation such as eelgrass.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(c) DREDGING	Maintenance dredging of less than 1,000 cy with upland disposal. -- Proper siltation controls used -- Limited to work between November 1 and January 15. -- No impact to special aquatic sites <sup>8</sup>	Maintenance dredging of greater than 1,000 cy, new dredging of up to 25,000 cy, or projects that do not meet Category I. Disposal includes upland, open water or beach nourishment (above mean high water), only if material is determined suitable.	Maintenance dredging (any amount) in or affecting special aquatic sites <sup>7</sup> . See B(a) above for dredge disposal in wetlands or water.  New dredging greater than 25,000 cy or any amount in or affecting special aquatic sites <sup>7</sup> .
(d) MOORINGS	-- Private, non-commercial, non-rental single boat moorings not associated with any boating facility? <sup>9</sup> provided not located in a Federal Navigation Project, there is no interference with navigation, it is not located in vegetated shallows <sup>6</sup> , and it is within ¼ mile of the owner's residence or a public access point <sup>10</sup> . -- Minor relocation or previously authorized mooring and moored floats consistent with Harbormaster recommendations, provided it is also consistent with local regulations, is not located in vegetated shallows, and does not interfere with navigation.	Moorings that do not meet the terms of Category I (e.g., rental or service moorings) and moorings that meet the terms of Category I that are located in a Federal anchorage.	Moorings within the horizontal limits, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project, except those in Federal anchorages under Category II.

<sup>8</sup>Special Aquatic Sites: include wetlands and salt marsh, mudflats, riffles and pools, and vegetated shallows.

? Boating Facilities: facilities that provide, rent, or sell mooring space, such as marinas, yacht, clubs, boat clubs, boat yards, town facilities, dockominiums, etc.

<sup>10</sup> Cannot be at a remote location to create a convenient transient anchorage.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(e) PILE-SUPPORTED STRUCTURES AND FLOATS	Reconfiguration of existing authorized docks, provided structures are not positioned over vegetated shallows or salt marsh and provided floats are supported off substrate at low tide. No dredging, addition slips or expansion allowed.	Private piers and floats for navigational access to waterway (seasonal and permanent).	Structures, piers or floats that extend, or with docked/moored vessels that extend, into the horizontal limits of a Federal Navigation Project. Structures, including piers and floats, associated with a new or previously unauthorized boating facility <sup>8</sup> .
(f) MISCELLANEOUS	<ul style="list-style-type: none"> <li>-- Temporary buoys, markers, floats, etc., for recreational use during specific events, provided they are removed within 30 days after use is discontinued.</li> <li>-- Coast Guard approved aids to navigation.</li> <li>-- Oil spill clean-up temporary structures or fill.</li> <li>-- Fish/wildlife harvesting structures/fill (as defined by 33 CFR 330, App. A-4)</li> <li>-- Scientific measurement devices and survey activities such as exploratory drilling, surveying or sampling.</li> <li>-- Shellfish seeding (brushing the flats) projects<sup>11</sup>.</li> <li>-- Does <u>not</u> include oil or gas exploration and fills for roads or construction pads.</li> <li>-- This category excludes work in National Wildlife Refuges.</li> </ul>	<ul style="list-style-type: none"> <li>-- Structures or work in or affecting tidal or navigable waters that are not defined under any or the previous headings. Includes, but is not limited to, utility lines, aerial transmission lines, pipelines, outfalls, boat ramps, bridge fills/abutments, etc.</li> <li>-- Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities which are consistent with the Corps revised standard siting requirements and standard permit conditions dated 7/6/94, or as revised.</li> </ul>	If EIS required by Corps.

<sup>11</sup> Brushing the flats: the placement of tree boughs, wooden lath structures, or small-mesh fencing on mudflats for the purpose of enhancing recruitment of soft-shell clams (*Mya arenaria*).